AIRPORT SECURITY

HEARING

BEFORE THE

SUBCOMMITTEE ON TRANSPORTATION,
AVIATION AND MATERIALS

OF THE

COMMITTEE ON
SCIENCE, SPACE, AND TECHNOLOGY
U.S. HOUSE OF REPRESENTATIVES

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AIRPORT SECURITY

THURSDAY, FEBRUARY 9, 1989

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY, SUBCOMMITTEE ON TRANSPORTATION, AVIATION AND MATERIALS,

Washington, DC.

The subcommittee met, pursuant to call, at 9:30 a.m., in room 2325, Rayburn House Office Building, Hon. Tim Valentine (chairman of the subcommittee) presiding.

Mr. VALENTINE. The subcommittee will be in order please.

I understand that the ranking Republican member, Mr. Lewis, is on the way and we're going to get started and move along with some routine matters in the hope that he will be with us before the testimony begins.

Let me say at the outset that we recognize the fact that this hearing has attracted more than normal interest and we would like to accommodate, to the extent it's possible, people who have come here today to view these proceedings. Unless there is objection by some member of the subcommittee, I will ask that the—invite the people who are standing in the corridor outside to come in if they'd like to fill these seats that are in front of us here, these committee seats.

We would not like for anybody to get to where they thought that was a permanent arrangement or anything of that kind. [Laughter.] If we could have that attended to before we get started, I'd appreciate it.

Mr. GLICKMAN. First row, right up here.

Mr. VALENTINE. Today, in our first hearing of the 101st Congress, and, incidentally, my first hearing as chairman of this subcommittee, the Subcommittee on Transportation, Aviation and Materials will look at a subject that has recently caused great concern among Americans, as well as others throughout the world, namely, how can we keep our airports and commercial flights safe from terrorists and criminal acts?

Before we begin, I want to extend a special welcome to our new members of the subcommittee, Congressman Christopher Shays, of Connecticut, who will join us later, I hope; and Congressman Dana Rohrabacher, of California; and also Congressman Tom Campbell, of California, all of whom I hope will be here before these proceedings are concluded.

I look forward to working with each of these gentlemen and—as well as Congressman McCurdy and Congressman Glickman, who are senior members of this subcommittee, and the other returning members in the weeks and months ahead.

We know from press accounts that a worldwide manhunt is now under way to find the terrorists responsible for placing the explosive that murdered 259 souls aboard Pan Am Flight 103, and 11 bystanders in Scotland late last year.

With the events of that December night fresh in our minds, it is important that we use this hearing here today to give the American people a sense of confidence that action is being taken to protect the flying public, that we are moving to make airports and airplanes less vulnerable to terrorist groups.

The Federal Aviation Administration is the lead Federal agency for aviation security. It has invested millions of dollars in developing airport screening devices to find deadly explosives and weapons in luggage and on passengers.

Two of these devices are mature in development. One, in particular, the thermal neutron activation device, or TNA, is nearly ready to be installed in major U.S. airports. However, the FAA has yet to announce a clear policy on how many TNA units it will buy beyond its initial purchase of six. Who will pay to equip the rest of our major airports and when can we expect to see installation?

Our witnesses today will help us decide whether these answers are forthcoming from the Bush Administration or whether legislative—legislation setting schedules and timetables is necessary to exploit the full use of these devices.

Looking beyond these near-term developments, I'm concerned that FAA keep a high level of R&D effort for new detection systems for the future. As the tragedy of Flight 106 teaches—103 teaches, international terrorists are becoming increasingly sophisticated in terms of their tactics and capabilities.

Time Magazine described the tragedy as being "diabolically well-planned." A high-level R&D effort is important if we are to stay well ahead of the threat that these groups pose to civil aviation.

It would be naive for us to assume that technology can provide all the solutions. The problem that terrorism poses to aviation is being attacked on a number of fronts. The FAA, the State Department, the intelligence community are certainly in the thick of the behind-the-scenes intelligence gathering and analysis.

Our witnesses will give us a sense of what is being done beyond the R&D work. I have no doubt that terrorist groups around the world will listen to every word that is said here today. Our message to those groups who would disrupt American air commerce is this: We in Congress intend to insist on action from the FAA and others so that airports become off limits to individuals carrying even the most sophisticated devices.

Administrator Allan McArtor is here to tell us of the FAA's activities related to airport security. Mr. McArtor, I understand that this is to be your last testimony before Congress, and I wanted to be concerned about that so I asked you again after you came here this morning.

You are an excellent administrator and we are grateful for the assistance that you have given to this subcommittee in the past, and the favorable impact that you have made on aviation during the time that you have been in office has been significant. We will miss you and we hope that the next administrator will aspire to

match the high standards that you have set in this—in this position.

Ambassador Paul Bremer also brings—also joins us to tell us of the State Department's R&D work in this important area and to give us the sense of the threat posed by terrorist groups worldwide.

I welcome all of our witnesses today and look forward to a very productive hearing. Before I yield to Mr. Lewis, I would like to ask unanimous consent that television and still photography be permitted during the course of this hearing and if there's no objection, it is—it's so ordered.

I recognize at this time for an opening statement, my good friend, ranking minority member of this subcommittee, Tom Lewis.

Mr. LEWIS. Thank you, Mr. Chairman.

Few events have captured the attention of the American public like the crash of Pan Am Flight 103, and today's hearing will not examine that crash, but will try to determine ways of preventing a reoccurrence in the future.

However, that may not be an easy task. Recent accounts point out that there are similarities between the crash of Flight 103 and the crash of an Aero Air DC–8 at Gander, Newfoundland, in 1985.

Members of the Canadian Aviation Safety Board concluded that the DC–8 suffered an onboard fire before crashing, possibly associated with an in-flight detonation from an explosive or incendiary device.

The crash took the lives of 248 United States soldiers and I should point out that other members of the Canadian Aviation Safety Board dismissed the similarities.

The crash of an Air India Boeing 747 off the coast of Ireland on June, 19—June 23rd, 1985, killed all 329 passengers. The cause of that crash was a bomb in a suitcase in the cargo hold that destroyed the avionics.

A report issued noted that neither X-ray nor vapor detectors in use were fool-proof in detecting modern explosives. The aspect that gives me the most concern is that a complete report on that crash was made available to only a limited number of people. Thus, it becomes difficult to profit from the findings and prevent their reoccurrence.

If these reports are accurate, this is very disturbing. I hope we can get some answers today during today's hearing. One useful mechanism that should be put in place immediately is the assessment of the existing security system and the strengths and weaknesses of the new technologies to detect explosives.

This subcommittee was instrumental in passing Aviation Safety Research Act of 1988 during the last Congress. One provision is the establishment of a Research Advisory Committee to advise the FAA administrator on the needs and objectives of the aviation research program.

This committee should be expanded to include those familiar with security issues and immediately begin to assess the complete program. This action is vital if we are to win the war on terrorism. We must learn from the past and I hasten to point out that I'm not placing blame on the FAA or the State Department. I am, however, concerned that there are gaps in the transfer of information.

I want to welcome the new members to the subcommittee, and especially our distinguished gentleman from North Carolina, Chairman, Mr. Valentine, and I look forward to a very productive 101st Congress with him.

I also want to welcome our witnesses. We have several parents and friends of victims of Flight 103. My deepest sympathy goes out to each and every one of you. We appreciate you being here today.

Finally, I want to welcome our friend, Mr. McArtor, and say that wherever you go, sir, is going to be their gain and our loss because I think the FAA needs you. You have really brought the FAA into the forefront, moved it ahead and you are going to be missed, and I, for one, will miss you and your leadership; your policies and actions have gone a long way toward making FAA the world's leader in all aspects of aviation. We're going to miss you.

Thank you, Mr. Chairman.

Mr. VALENTINE. Thank you, Mr. Lewis.

Unless there is some objection by some member of the subcommittee, we'll move along with testimony, as time is limited, and I would invite members to make such openings—such statements as they deem appropriate as questioning and answer time comes.

We have some witnesses here today who bring us sensitive information and it is going to be necessary for us to go into an Executive Session of this subcommittee later on in the day. Without—unless there's some objection, the subcommittee will, at a time to be stated by the Chair later on in these proceedings, adjourn for the purpose of reconvening in executive session to receive further testimony of a sensitive nature.

Hearing no objection, then that—it's so ordered and that is the course that we will—will follow.

I welcome all of you here today and we look—look forward with interest to hear the testimony of the first panel and others to follow.

So I will recognize—introduce to the members and guests here today the Honorable T. Allan McArtor, who's Administrator of the Federal Aviation Administration. And with him in this panel and at the table before us is the Honorable L. Paul Bremer III, Ambassador-At-Large for Counter-Terrorism with the Department of State.

Mr. Salazar and Mr. Belger, and I will take the liberty of asking you gentlemen if you will state your positions for the record.

Mr. SALAZAR. Thank you, sir. I'm Raymond A. Salazar, and the Director of Security for the Federal Aviation Administration.

Mr. VALENTINE. Mr. Belger.

Mr. BELGER. I'm Monte R. Belger. I'm the Associate Administrator for Aviation Standards.

Mr. VALENTINE. Welcome, all of you, and we will recognize Mr. McArtor at this time. Your prepared statement will be—will appear in the record in toto and we invite you to proceed in any way that you deem appropriate.

STATEMENTS OF HON. T. ALLAN McARTOR, ADMINISTRATOR, FEDERAL AVIATION ADMINISTRATION, ACCOMPANIED BY RAYMOND A. SALAZAR, DIRECTOR, OFFICE OF CIVIL AVIATION SECURITY, FEDERAL AVIATION ADMINISTRATION AND MONTE R. BELGER, ASSOCIATE ADMINISTRATOR FOR AVIATION STANDARDS, FEDERAL AVIATION ADMINISTRATION; AND HON. L. PAUL BREMER III, AMBASSADOR-AT-LARGE FOR COUNTER-TERRORISM, DEPARTMENT OF STATE

Mr. MCARTOR. Thank you very much, Mr. Chairman, and members of the subcommittee, I am very pleased to appear before the subcommittee today to describe for you the FAA's efforts to combat the threat of terrorist activity against civil aviation.

I'm pleased to have as well, as you mentioned, two senior executives of the FAA, Mr. Belger, Mr. Salazar, and to be with Ambassador Bremer, and as a personal note, I'm pleased to see and welcome Mr. Robert Berrell here, who is exhibiting, in my mind, a great deal of commitment and courage to appear before this committee and I appreciate his presence.

The recent tragedy of Pan Am Flight 103 is a graphic and troubling reminder that despite worldwide efforts to improve aviation security, civil aviation remains vulnerable to criminal and terrorist acts. It further highlights the pressing need to ensure that we are doing all that is technologically and humanly possible to reduce the threat to the traveling public, building on the strong foundation we have in place.

Aviation security is a dynamic process. We constantly must seek to identify the threat against civil aviation and then apply the appropriate tools and techniques necessary to offset the tools and techniques used by those who would thwart the system. It's an ever-changing process, because, as technology and political objectives change, so does the threat.

In the early 1970's, we revolutionized the civil aviation security system by instituting a Sky Marshal program, and by implementing a highly effective passenger screening system designed to stem the wave of hijackings being experienced at that time.

But as the level and nature of the threat to the traveling public has varied, so has our response. We have continued to make changes to that system.

Through heightened expectations of what the system must be able to detect, and through improvements to equipment, techniques and personnel, our recent requirement calling for improved systems for restricting and monitoring access to secured areas in airports is one example of such a change. The system has worked remarkably well for over a decade and a half.

Another example of change in aviation security practices occurred in 1985, following the TWA hijacking when Congress called on the FAA to initiate a major program to make assessments of the security of foreign airports serving the United States. This new legislative thrust significantly expanded the FAA's global presence in security matters and represented a measured response to a growing international threat against American aviation interests.

Additional steps were taken as well at that time to increase funding for FAA security research and development work and to

bolster security inspector and Federal Air Marshal staffing within the FAA.

Further, the United States worked within the International Civil Aviation Organization to strengthen the international security requirements. And the FAA took actions to enhance security requirements for U.S. carriers operating abroad.

More recently, following the Pan Am tragedy over Scotland, I've instituted a series of new security measures to tighten U.S. air carriers' security requirements at airports in Western Europe and the Middle East. Airlines must now complete 100 percent X-ray or physical inspection of all checked baggage. Passengers may not have access to the contents of checked baggage following the security inspection.

Airlines must perform a positive match of passenger and baggage to ensure unaccompanied bags are not loaded onto the aircraft. Airlines must take additional measures to preclude unauthorized access to baggage from check-in to loading on board the aircraft.

An increased number of passengers is to be randomly selected for enhanced screening. Checked baggage of the persons identified for enhanced screening must be physically inspected, and small packages and parcels that are shipped through the passenger ticker counters must be X-rayed or physically examined prior to shipment.

These measures exact a cost in our air transportation system and are not lightly taken by the FAA. But we will not hesitate to tilt the balance toward improved security and away from convenience when that is necessary to protect our citizens.

Thus far, these measures appear to be working without undue hardship or inconvenience to air travelers.

We're also continuing our aggressive program of foreign airport assessments. Since the inception of this program in 1986, we have conducted nearly 800 visits to 216 foreign airports in 107 countries. We've been well-pleased at the cooperative approach shown generally by host governments and believe this program has aided in obtaining additional security improvements at many foreign airports.

Moreover, we continue to place FAA Federal Air Marshals aboard flights on U.S. air carriers operating on routes where we perceive the greatest threat potential.

This fiscal year, we're increasing our civil aviation security work force by an additional 50 personnel and have requested 120 additional security personnel in our fiscal year 1990 budget. These additional employees will facilitate our efforts to respond to the international threat and to continue to improve security here in the United States.

We're accelerating the development schedule of the thermal neutron analysis, TNA units, we have ordered for bomb detection. This remarkable system is a result of three years of FAA-directed research on an explosive detection system developed to detect all commercial and military explosives which might be concealed in checked baggage and air cargo.

The TNA system employs a conveyor on which luggage or cargo is moved into a region of neutron radiation. The neutrons easily penetrate the baggage, where some of them are absorbed. Atoms, which absorb neutrons, emit gamma rays. Every element has a dis-

tinctive gamma ray signature. Thus, by monitoring the gamma rays, one can determine the composition of the contents of the luggage and recognize the characteristic signature of explosives.

We've already tested prototype TNA systems at the Los Angeles and San Francisco airports during June of 1987 through March of 1988. One of the systems was electronic-based and the other is what we call Californium-based, which uses a radioactive element referred to as CF.

These represent the two methods of producing the high-speed neutrons necessary to bombard the material to be checked by the TNA system. One drawback of the electronic-based system, however, has proven to be the cost of up to 10,000 to replace the electronic components which last as little as 200 hours, contrasted by the Californium-based system which lasts for years.

We've ordered six CF-based TNA units to be delivered in and in operation during the June 1989 to January 1990 time frame, which is six months ahead of the original schedule.

We believe this unit shows great promise for operating effectively in screening passenger luggage. Our experience in examining over 30,000 bags using thermal neutron analysis demonstrated that it could screen baggage with a high success rate—that's 95 percent—and a low false alarm rate of 4 percent. I should add that the high success rate, 95 percent, was attained finding the minimal quantities of explosives and would be much higher with larger amounts of explosive materials.

I further note that the radioactive elements of the TNA system are well within prescribed safety levels and pose absolutely no threat to system operators or passengers.

Research is also under way on an explosive vapor detection system for checking people for explosives. Last October, at Boston Logan Airport, we tested a prototype walk-up explosive detection booth designed to detect the entire spectrum of explosives which may be carried by a saboteur. The false alarm rate was exceptionally low, less than 1 percent, but the time to test each passenger was about 30 seconds. The manufacturer is working now on reducing that time to about 6 seconds per passenger, and we hope to have an improved device available later this year.

We're also continuing work to develop and improve weapons detection capabilities, including efforts for the detection of plastic weapons and are conducting an evaluation of state of the art detection equipment which is commercially available.

Further, we continue to solicit new ideas from the scientific and academic community with a view toward identifying and developing additional tools that will enhance security. All of these efforts are important to improving civil aviation security and they will continue.

Additionally, though, we must continue to work in the international arena to develop an international approach to end terrorism in the skies. Secretary Skinner is doing just that.

On January 24th, the United Kingdom and the United States jointly called for a special session of the Council of ICAO to improve international security measures and urge that representatives be at the ministerial level. Secretary Skinner will attend the Council meeting scheduled for February 15th and 16th of next

week as the United States representative, and I will be accompanying the Secretary.

One of the United States' primary objectives for this ministerial level meeting is to reach agreement on strengthened ICAO international security standards and to consider how they could be expanded and applied uniformly to operations assessed as subject to high risk.

The United States is committed to exercising continued leadership within the world community to stop terrorism.

In closing, Mr. Chairman, I would like to thank this subcommittee for its longstanding support of FAA's research and development and its efforts to reduce the threat of hijackings and terrorist acts against civil aviation. We've made significant strides in designing and developing systems to protect the traveling public, but those efforts are not enough. We must remain vigilant to counter new approaches and new equipment which may fall into the hands of terrorists.

We look forward to your continued support as we advance the state of the art in weapons and explosive detection.

That completes my prepared statement, Mr. Chairman.

Mr. VALENTINE. Thank you, Mr. McArtor.

To accommodate our colleague, Congressman McCurdy, I—who was chairman of this subcommittee the last Congress, and who has to chair another subcommittee on another matter, I would recognize him at this time for a statement.

Mr. MCCURDY. Mr. Chairman, thank you very much, and I apologize to my colleagues and certainly to the witnesses. The Intelligence Committee is meeting and I've been—I have to go chair and have been asked to go over there. I worked with Mr. Lewis in scheduling this hearing late last year, actually, in looking, prior to these instances, in looking at the airport security issue.

Mr. Glickman, who was previous chairman of this subcommittee—we're pretty Democratic on this side, Mr. Chairman. We're going to allow everyone on this side at least to chair one time, but we have followed the research and development issue of providing greater security in our airports and for our carriers, and we will follow this with great interest in the future.

I wanted to, first of all, thank the gentleman from North Dakota, Mr. Berrell—when I received a call from Mr. Dorgan, Congressman Dorgan, we certainly wanted to accommodate and allow him the opportunity to testify and we offer our condolences. At the same time, we appreciate his courage and willingness to stand up, as are most all of the relatives of the victims of this tragedy, but I want to take this moment if I could to just commend Mr. McArtor, and I know that anyone in public service certainly is under close scrutiny these days and we've had a lot of criticism and a lot of devaluing of public service, to be honest, but I wanted to say that I think we've had a very good working relationship and I think it's a compliment that he chooses this subcommittee to testify and make his last appearance. We're the subcommittee where he made his first appearance in the last Congress and so it is somewhat fitting, I guess, and some balance there.

In my opinion, having had chaired this subcommittee for the last two years, Mr. McArtor brought to the FAA a tremendous amount

of administration—administrative skill, a great deal of courage in dealing with the bureaucracies that tend to build up and the infights of the Department of Transportation and other Federal agencies—brought considerable decisive action which was necessary. I think he also brought some increased visibility to the agency, one that needs to be able to have greater independence and certainly to have greater utilization of the funds that were dedicated for that agency and we will continue that fight.

And one who brings an incredible amount of experience and expertise in the aviation industry, as a pilot, fighter pilot, who understands not only the thrill of flying, but also the concerns of doing it correctly and safely. So I commend him and certainly want to wish him the best in any endeavor that he takes from here.

And I would just pose two questions, Mr. Chairman, and not to be answered at this point, but perhaps after I leave, he will be able to answer those, and that is, since this subcommittee's jurisdiction has been research and development, our primary concern is, as you depart, what efforts will you leave with the FAA to try to increase the research and development funds and budget in order that we can deal with these problems?

We have an incredible trust fund out there that is dedicated—should be dedicated for airport enhancement, air safety enhancement, and yet it's not utilized. How can we better utilize those funds and where would you dedicate it?

Also, how do you strike the balance—and this is a tough thing—it's—we can stand up here and say, "Well, we're going to make the skies even safer than they are," and they're still the safest mode of transportation, but how do you strike the balance?

As one—and each of us who spend a lot of time in airports and deal with a lot of passengers and people who, especially during the holiday seasons, are terribly impatient and want to be on their way, how do you strike the balance between the convenience and the quality of service you provide and with the safety? And we—it's a very difficult question and one that we don't have answers to, I don't think.

And lastly, we want to ensure that U.S. carriers—that there is more than the burden just being on the U.S. We want the international carriers as well, even though the threat may not be as great, we still believe there is a threat because Americans do travel on those carriers as well. And it's not fair that U.S. carriers alone carry this incredible burden.

So—and I know you've talked about the new developments. We, quite frankly, have been calling for even greater developments and would like to see more funds dedicated to this area. Naturally, most subcommittees in the Congress probably say that in every hearing going on, that their subcommittee would like to have more funds, but we truly believe that this is—deserves merit.

And it's also fitting, Mr. Chairman, as I leave to go chair an Intelligence Committee meeting, as Mr. Glickman is also a member of the Intelligence Committee, that there's another side of this story that will be discussed in other sessions, that we can do and provide more assistance, and I think we need to—it's fitting that some of us wear two hats in that respect, and as a member of the

Armed Services Committee, we may even look at where there could be some assistance in that arena.

So, with that rambling statement, Mr. Chairman, I just wanted to again commend the gentleman from Tennessee, our friend who served us well, and also to pose those questions for later consideration.

Thank you, Mr. Chairman, for that.

Mr. VALENTINE. Thank you, sir.

Mr. McArtor, for your sake, I hope your wife is not present. I would hate for her to hear all these great things and conceive it to be her responsibility to set things aright in her—put you on an even keel, and also, you are familiar with—being a Tennesseean expression—turn your head.

Thank you for that statement and we'll recognize at this time, Ambassador Bremer.

Ambassador BREMER. Thank you, Mr. Chairman.

The callous destruction of Pan American Flight 103 on December 21st was a terrible international tragedy. The victims were not only the passengers and crew on the plane and the villagers in Lockerbie, but also their relatives, their friends, and all of those who were touched by this horrible act. We deeply regret the loss families and friends of those on Pan Am 103 have suffered and we share their anguish, and we share the pain of the people of Lockerbie who also lost friends and relatives.

Our government is determined to do everything in our power to see that this cowardly and senseless act will not go unpunished. We are committed to bringing the perpetrators to justice. Working with the British and with other governments, we will follow every lead until we get the answers. It may take time. There are not always quick and easy answers in cases like this, as you're aware, but I am confident that using all of our resources, we will succeed in locating the murderers and then we will exert all of our efforts to bringing them to justice.

Right now, even today, investigators from the FBI are in Lockerbie, in London, in Frankfurt and elsewhere working closely with their counterparts on the case. It has now become, I think, Mr. Chairman, the largest criminal investigation in history.

We have established a task force within our own intelligence community to mobilize our assets worldwide to gather information about the crime and we've approached literally dozens of other governments through intelligence and diplomatic channels for their assistance.

Because the case is under investigation and hopefully will lead to trial, I'm sure you will understand that I am not able to discuss the details of the investigation itself. I am, however, confident that we will succeed.

I would like to briefly summarize, if I may, Mr. Chairman, my statement, which I would ask leave to have entered in its entirety into the record.

Mr. VALENTINE. Without objection.

Ambassador BREMER. The State Department has several initiatives in the area of research and development. First of all, my office oversees a national counterterrorism research and develop-

ment program and in this fiscal year, we will be asking for $6 million to support this interagency program.

We are looking at projects this year particularly to develop new forms of less expensive and more widely applicable detectors to identify plastic explosives and chemical and biological agents in closed containers.

Another example of the R&D efforts at the Department of State involved a project funded by our Bureau of Diplomatic Security, which has developed a high-technology sniffer to detect low neutron vapors, weapons that give off little neutron vapors. This project has been developed under contract with the Thermedics Company and totals nearly $7 million and we should be seeing the first models of this equipment delivered to the State Department this summer. We believe this equipment will have application both in the State Department and conceivably also in the airline security area.

Our government is also studying more broadly the feasibility of negotiating an international accord to make it easier to detect low intensity explosives with existing technology. One way of doing that, Mr. Chairman, would be to add taggants, easily detectable substances which could be introduced into plastic explosives in the manufacturing phase, making them detectable by existing technology.

It is clear that countering existing threats to international aviation requires an effective aviation security program that has built-in redundancy and clearly well-trained people. The Department of State, again, through my office, runs an antiterrorism assistance program which has trained, since 1984, more than 650 students from 28 nations in advanced civil aviation security or airport police management courses.

Our ATA training recognizes the important role of effective baggage X-ray in ensuring aviation security and we are particularly interested in newly emerging X-raying technology which allows for the detection of low-density plastics.

As the administrator has pointed out, we have been particularly active internationally in trying to urge the international upgrading of air security measures worldwide, a point which Congressman McCurdy just touched upon.

Cooperating with the FAA, we've been trying to bring Pan Am 103 to the attention of the International Civil Aviation Organization and as the administrator has noted, with the British Government, we have called for a ministerial level meeting of the ICAO Council, which will take place next week.

Mr. Chairman, it may be a long-term operation to come to the bottom of Pan Am 103, but as I said at the outset, I'm confident we will get there. And I'm confident that by following up on the initiatives which are already underwway in the FAA and elsewhere in our Government, we can find ways to make aircraft safety more secure.

Thank you.

[The prepared statement of Mr. Bremer follows:]

Testimony of
Ambassador-at-Large for Counterterrorism
L. Paul Bremer, III

before
the Subcommittee on Transportation, Aviation and Materials
of the Committee on Science, Space and Technology
U.S. House of Representatives

February 9, 1989

Mr. Chairman and Members of the Committee:

Thank you for the opportunity to appear before this Committee to discuss the application of research and development and other measures to avert tragedies such as the bombing of Pan Am 103.

Since Mr. McArtor's testimony has already reviewed the FAA's own efforts to enhance security procedures and to accelerate research and development in response to Pan Am 103, I propose to summarize briefly several Department of State initiatives that are underway to help prevent a repetition of Pan Am 103.

One program the Committee may find of particular interest is the national counterterrorism research and development program which is coordinated and funded by the State Department. In FY-1990 we will be seeking $6 million to support this interagency program which provides seed money for a range of research and development programs which otherwise would not be funded by any particular federal agency. Included in the R&D program are projects to develop new forms of less expensive and more widely applicable detectors to identify plastic explosives or chemical/biological agents in closed containers. I would hope that the Members of this Subcommittee could support this funding request during House consideration of the Commerce/Justice/State appropriations bill.

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Another example of our R&D efforts at State is through the Bureau of Diplomatic Security which has funded the development of a high technology "sniffer" to detect nitrogen vapors, such as those emitted by explosives, in automobiles, packages, luggage or persons. The first operating models of this equipment, developed under contracts with Thermedics, Inc. totaling nearly $7 million, will be delivered to the State Department this summer. This equipment will be applied as part of our program to protect high threat posts and to ensure the security of the Secretary as he travels. This equipment offers promise as the possible basis for other prototypes which would be applicable for use in checking airline passengers, their luggage and carry-on items.

Our government is also studying the feasibility of negotiating an international accord to make it easier to detect low density explosives with existing technology. This objective has already been discussed with a number of like-minded nations. The consensus is that an initiative should be launched to seek an international agreement for the tagging of plastic explosives. Taggants are easily detected substances which would be introduced into plastic explosives during their manufacturing process. They would make it easier to detect plastic explosives using readily available existing technology. Much needs to be done before such an agreement is in place, but the common recognition that something needs to be done is a major step forward.

Countering the existing threats to international civil aviation requires an effective aviation security program which includes well-trained staff, supplemented by a variety of technical aids. Any such system has built-in redundancy and recognizes that the most critical element in aviation security is the well-motivated employee who takes his or her duties seriously. The State Department is directly involved in this effort to improve aviation security through our Anti-terrorism Assistance Program (ATA). Since its inception in 1984, ATA has trained over 650 students from 28 nations in Advanced Civil Aviation Security or Airport Police Management. We are confident that our basic ATA teaching program is sound and contributes to the building of such a system. This curriculum emphasizes that no single approach to security is foolproof. It teaches the interdependence and supplemental effects of people, dogs and existing electronic technology such as x-rays. We will incorporate into our training, as they emerge, the "lessons learned" from the Pan Am 103 bombing.

Our ATA training recognizes that bomb detector dogs already hold a critical role in aviation security. Such dogs can be a vital element in a comprehensive effort to detect plastic explosives. There are limits, however, to what can be done with sniffer dogs. Dogs are capable of detecting plastic explosives but they present logistical problems. At large airports such as those in the U.S. and Europe, dogs provide only part of the solution. Since the ATA program generally works with less developed nations, which often

have small international airports, some of the problems presented by using detector dogs at major international airports may not present themselves.

Our ATA training also recognizes the role of effective baggage x-ray in ensuring aviation security. In addition to its training, ATA has a modest effort to provide training-related equipment to nations which receive aviation security training. We are particularly interested in newly emerging x-ray technology which allows for the detection of low-density plastics. This system offers promise as another way to help prevent the introduction of weapons, explosives and other contraband into the international aviation system.

The State Department has also been active diplomatically to help prevent another Pan Am 103. During the recent Terrorism Experts Group meeting in Paris, I argued forcefully that the bombing of Pan Am 103 showed the urgent need for upgrading air security measures worldwide. There was general agreement that the threat to air travel is not simply a threat to American carriers.

The State Department, in cooperation with FAA, has been deeply involved in the process of bringing Pan Am 103 to action before the International Civil Aviation Organization (ICAO) in Montreal. ICAO is already at work on reviewing new security measures in response to the tragedy. To move this process forward, the U.S. and British governments have jointly called for a Ministerial meeting of the Transport Ministers of the International Civil Aviation Organization

(ICAO) to discuss ways to improve international aviation security. This meeting will take place on February 15-16.

The final element in our package of responses to Pan Am 103 includes various practical measures -- improved intelligence exchanges, common action by governments regarding the extradition of terrorists, efforts to impede the travel and financial transactions of terrorists -- which together make it more difficult for terrorists undertake their operations. These practical measures increase the chances that terrorist actions can be detected and countered before they occur.

Mr. Chairman, developing effective countermeasures to prevent another tragedy such as the Pan Am 103 bombing will be a long-term operation and there will never be 100 percent security in air travel, despite the enormous strides made in recent years. The investigation into that tragedy too will be painstaking and time-consuming. But just as I am confident that we will identify and eventually bring to justice those responsible, so too do I believe that we have underway a number of successful initiatives involving R&D, training and diplomacy which will help prevent a repetition of Pan Am 103.

I look forward to your questions.

Mr. VALENTINE. Thank you, Mr. Bremer.

Mr. Salazar.

Mr. SALAZAR. I have no prepared testimony, sir.

Mr. VALENTINE. These gentlemen are just here as consultants? All right.

Well, thank you both very much. I have just a couple of short questions and then we'll move on to our colleagues for their statements and/or questions.

The first—well, to either one of you, assuming that an individual or individuals are apprehended and there is a respectable quantity of evidence that the person or persons is the perpetrator and the bomb was placed on the aircraft overseas and the tragedy occurred overseas, do we have jurisdiction, as you understand it, to—that the person or persons are apprehended to bring them to the United States and try them here?

Ambassador BREMER. Yes, we do, Mr. Chairman. Under the various statutes enacted by Congress over the last 12 years, there are a number of ways under which we can assert jurisdiction. It has been, since 1986, against the law, American law, to commit a terrorist act against American citizens overseas. So that the Federal Bureau of Investigation can assert jurisdiction in this case, even though the crime itself did not take place in the United States.

Mr. VALENTINE. And the maximum punishment would still be only life in prison, wouldn't it?

Ambassador BREMER. Mr. Chairman, it would depend on the crimes with which a person is charged and I think that would have to await the time in which we see what we get in the way of evidence, but they would be punishable under whatever the maximum penalty is under U.S. law for the crime with which they're charged.

Mr. VALENTINE. I don't want to lead us too far afield and I'm not going to dwell on this, but would you be in a position to say, either of you, whether or not it is your judgment at least, divorced from the feeling of any of your superiors, that such a person or persons should be subject to execution?

Mr. MCARTOR. As long as you've asked for personal opinions, sir, I would be more than happy to venture that. Yes, I would be absolutely in favor of that, yes, sir.

Mr. VALENTINE. What—what major technical hurdles remain in the development of TNA, and is there presently any—any problem with respect to possible radioactivity or is the operator or operators—or are the operators at any risk in any way in connection with this equipment?

Mr. MCARTOR. The TNA system has been in—under development for about a 3-year program now, sponsored by the FAA. We feel comfortable that it has successfully passed the prototype stage and is now ready for an operational test and evaluation stage which is where our first six systems will be deployed.

We do not see any technical hurdles, however, we would like to see some improved performance capabilities with respect to through-put. Right now, we have about 6 seconds per tested article, per bag. We'd like to see that go to about 3 seconds.

And to answer your second part of your question, no, there is no danger to either the operators or passengers or any residual radi-

ation that stays with the tested articles. There's no radiation hazard at all.

Mr. VALENTINE. The FAA has purchased six of these devices, pieces of equipment now?

Mr. MCARTOR. Yes, sir. Our original contract called for five. Following the Pan Am 103 bombing, we asked to purchase a sixth. The contractor agreed with that and we moved the delivery schedule up by a full 6 months in order to accelerate those operational systems into the field.

Mr. VALENTINE. Are there plans that you would feel comfortable in discussing with the committee as to the—what is—what we might expect in future purchases, what we might expect in—by way of future purchases and who's going to pay for them?

Mr. MCARTOR. That's certainly a topic that will be discussed and should be discussed throughout the spring as to the proper role of the U.S. Government in providing security equipment for the use of carriers, either domestically or internationally.

Precedent would say that the U.S. Government task those U.S. corporations operating overseas with providing their own security and devices. We'd naturally provide them with embassy services. But if, in fact, the Congress and the public want to make a point of public policy that the U.S. Government become more actively involved in the provision of either equipment or services overseas, the FAA would certainly gear up to do that.

We are not now either prepared nor funded to provide more than just the operational test and evaluation phase. For instance, magnetometers, passenger screening devices, are purchased by the individual airports or carriers for their security use.

Mr. VALENTINE. Mr. Bremer, to the extent that this can be explained in an open forum, what is the threat posed by international terrorism to civil aviation in this country and in the world?

Ambassador BREMER. Well, I think while we're here to discuss the tragedy of Pan Am 103 and the—and the terrible effects of that, we have to remember that there's been significant progress, I think, in the last 20 years, in countering the threat. It is certainly still there.

But the threat has perhaps shifted somewhat in recent years away from aircraft hijackings, which 20 years ago or so, we saw 15 or 20 terrorist hijackings in a year—it was not unusual—to the point where, in 1986, we had only two; in 1987, only one; and in 1988, only one international terrorist hijacking, which means we've made considerable progress in making it more difficult for terrorists to get weapons into the top side of the cabin.

As a result of that, we're seeing a possible shift toward sabotage in use of bombs going into the cargo hold of the aircraft. Now, the general threat is—is certainly still there and I think, as the administrator pointed out in his opening statement, we have to—this is a dynamic situation. We have to be prepared to try to move ahead of the terrorists with our technology and with our techniques so that we can counter the threat as they move into new areas.

Mr. VALENTINE. Thank you.

Mr. Lewis.

Mr. LEWIS. Thank you, Mr. Chairman.

Mr. Bremer, you point out in your testimony that you have provided $6 million for research in national counterterrorism. Could you give me some more details at this point in the research program that you're going to identify plastic explosives going onto aircraft?

Ambassador BREMER. Mr. Lewis, I'd prefer to leave that for the closed session, if I could.

Mr. LEWIS. OK. That's fine with me.

Can you tell me—the committee—what the long-range plans are for the R&D program?

Ambassador BREMER. Well, we believe—the program was established three years ago as a result of the view that there's a lot of research and development going on in our government in various agencies, like the FAA, relevant to terrorism, but there was no one place where it was being looked at on a national basis.

We invoked a panel of scientists who identified more than 70 projects that they thought should be funded which are not now funded elsewhere in the government. The concept of the program is to put seed money into projects, to look at them over a year or two to see if they're valid, and if they are, pass them off then to a lead agency which will take over the actual development of prototypes and commercialization of the projects.

At present, we have some 28 projects which we are funding in this committee, this Research and Development Committee, where we've asked for $6 million in fiscal year 1990 and we can certainly use every bit of that. We hope the Congress will support that fully.

As I said, I think in terms of the actual projects we're funding, I prefer to discuss that a little later this morning, if I could.

Mr. LEWIS. You pointed out on page 3 of your testimony that, with your antiterrorism assistance program, you train security personnel. One of the weak links in this particular area is the errors that personnel make in search and that sort of thing. How can you overcome this?

Ambassador BREMER. Well, I think, as we all recognize, the security in airports or around embassies or wherever it is is only as good as the people. We can do a lot of things with advanced technology and we should do those things, but as long as—we have to focus on the fact that people operate the machines. So the antiterrorism assistance program, which was established by Congress 3 years ago, recognizes the need, particularly in countries which they're not—do not have sophisticated or financial basis on their own, that the United States could help train civilian law enforcement officials in antiterrorism.

Airport and air aviation security has been a primary thrust of that program since it began 3 years ago. Most of those funds are spent in developing countries where they don't have the capabilities themselves. And we believe it's vital to focus on the people part of the project.

So most of our training in that area is training on concepts like airport management, the police manager to airport, baggage security, handling of bomb dogs and so forth. We offer about 34 different courses, not all of them in the aviation area under that program. It's a very—we think a very effective program.

Mr. LEWIS. You're mentioning some time in the time frame of two to three years. Can we afford to wait this long with some of the areas where we want to provide better security with both detection equipment and personnel?

Ambassador BREMER. I think all of us at this table would like to be able to solve the problem tomorrow, but I think we have to recognize that given the obvious constraints that exist in the government as a whole now on the budget and some of the other problems of pushing technology to the front, that we just have to move as fast as we can and recognize that some of these things will take time.

Mr. LEWIS. If you have some indication or advanced knowledge that there was a possibility of a problem, could you do—add additional security? Is it feasible to go—for us to go into actual physical searches? I don't mean a strip-search, but a physical search of passengers going on an aircraft?

I know of a country that does this. That's why I'm asking the question.

Mr. MCARTOR. We do this now. If we perceive there to be a threat that requires that measure, it's done, infrequently, but a fairly routine basis where there would be an elevated level of security that would be required. We could either direct it or the carrier could institute it.

Add to that, Ray?

Mr. SALAZAR. Well, sir, only to add that we are continually assessing the existing security measures with the view towards—towards improvment, and that would be—that would certainly be part of the process.

Mr. LEWIS. That doesn't help very much, does it, just the assessments? I'm concerned—I have a situation—I'd just like to show you—this is—little number could work wonders on you. It went through the magnetometer this morning.

However, it could—and this is quite a sharp weapon—it can do a pretty good job on you. If it was in an attache case; if it went through the X-ray machine, you would be able to detect this portion of it, which looks basically like a fountain pen and only because it has carbon in it, but this ceramic will not detect—on the X-ray.

So how can you actually prevent something like that? That's a terrorist's dream right there.

Mr. MCARTOR. I'd like to use the word, if I may, that Congressman McCurdy used earlier, and that is balance. There clearly has to be established a balance between security precautions and passenger through-put or through-put through any security system, be it the halls of the Congress, the New York Stock Exchange or an airport.

There obviously are things that could be done, including physical search of persons to heighten levels of security. We do this on an exception basis now when we know that there are threats, but to use that as a normal means of security for passenger through-put obviously would be quite disruptive to the air commerce or to our normal way of life.

And it's this continual search for that proper balance that is what we try to—try to provide and, of course, which also provides a certain amount of frustration.

We've gone to higher levels of security now that I have ordered for United States carriers in Western Europe and the Middle East, recognizing that that balance has been disrupted, tragically disrupted by Pan Am 103.

We could go to very, very extreme measures and then it's just a matter of what—what would be the acceptable level for the public and for our industry. If—if, for instance, there was a specific threat that said that some gentleman in a red tie might have a knife onboard him coming into the building, you could expect that all of you with red ties would have been searched very thoroughly, I am sure.

Mr. LEWIS. Well, I just use that as an example. We've got a long way to go.

Mr. MCARTOR. Absolutely.

Mr. LEWIS. And the public is going to have to be tolerant—some of the systems of plans and delays that are caused by extensive searching or looking to reveal the possibility of a problem that could go on an aircraft and I know a lot of people get very upset going through the magnetometers and things of this nature, and I recognize they got a personnel problem and things like that, but when you know that your life is on the line, it's a lot smarter to get there 15 minutes early if necessary and go through the searches necessary.

I frankly feel, Alan—excuse me, Mr. McArtor—and Mr. Ambassador, that we got to use whatever means possible today and all the fancy machines that we'll have in a few years are not going to help us during the interim period and we've got to use those things that are available now and I said I do know a country—Taiwan does this.

Mr. MCARTOR. Sir, it's—it's precisely why we've gone to higher levels of security. People would say, well, you've asked for X-ray of baggage. Well, X-ray is fine. Plastic explosives. It's not that the X-rays could, but we want to add depth to the security system. We want to add depth to the physical search, to the X-rays, to the matching of bags with passengers, to more stringent restriction of access to bags, which adds depth to the security program as a total security system while, at the same time, we're trying to accelerate as best we can the development of actual explosive detection devices.

Some of the frustration, of course, is that we must wait for some technologies to mature. You can't—you can't speed the process.

Other—other times, you can throw more money at it and possibly accelerate development, but for the most part in these explosive detection technologies, it takes a maturing of the technology, as opposed to simply increased funds.

Mr. LEWIS. Thank you. That's all I have right now.

Mr. VALENTINE. I will recognize at this time, Mr. Glickman, of Kansas, with one statement. Former member of this subcommittee. I would not want anybody to think that this former member and Mr. McCurdy had been replaced or demoted. They left the chair-

manship of their own volition and went on to greater and more powerful opportunities.

Mr. Glickman.

Mr. GLICKMAN. I went from airplanes to wheat.

Al, it's a pleasure to see you and I want to echo the comments of the chairman. Ambassador Bremer, we've talked before briefly in the Intelligence Committee. I'm glad you're here. My comments are meant—not meant against you personally, but I must tell you I'm very concerned about your testimony. I'm very concerned about our Government's commitment to fighting terrorism at airports.

I don't think there's been a direct acknowledgment by our government that a threat against civil aviation is a threat against the United States of America every bit as big as any threat that the Soviet Union has against us or any of our other major adversaries.

The direct threat to people's lives—this gentleman in the front row's son lost his life because of terrorism and because of a war in the world that was caused not through this gentleman's fault, but because of foreign policy considerations.

And to hear the talk about precedent and about who's going to pay for these things and the slowness of getting equipment on-line to deal with this issue is shocking. We have a war in this world. It's terrorism. It is as serious as any war that we've faced as Americans and much less predictable.

We've got $6 billion in a trust fund that's unobligated, and for us to be hanging around and deciding, "Well, is this carrier going to pay half of the cost of a piece of machinery in the Paris Airport or is the United States Government going to be paying half of it?" is shocking and it's, I think, not consistent with what the threat is in this country.

I have felt for some time that the highest level of our government does not view terrorism, even though they give lip service to it, with any of the degree that they give normal military expenditures, to protect us against traditional threat.

So while I think your testimony is interesting, and I think you two gentlemen are doing your best in trying to deal with the problem caused by the airplane crash, I think our government has done an abysmal job of recognizing that a threat against an American airplane overseas is just as much a threat to our security as to the loss of life of soldiers in the Middle East or a direct threat by the Soviet Union against the United States, and it worries me because I don't see anything in your statement to indicate the government feels the threat is that high. Just the talk about precedent. Who's going to pay for these machines is—means that we're going to be in a tennis match with the airlines deciding, are they going to pick it up or are we going to pick it up, rather than dealing with the threat itself.

And I feel very strongly about that and I wonder if you'd comment on that.

Mr. MCARTOR. Congressman Glickman, you and I've talked about similar issues before and, as one of the distinguished leaders of Congress, we hope that the resource, available resource area could be—could be adequately addressed by the Congress in their appropriations to the FAA and to the State Department.

I would say that the thermal neutron analysis system, which to us is the first, and possibly the first of many approved systems by the FAA. The six systems that we're procuring in this calendar year is the maximum capacity of that—of the ability to build those systems. The company can tool up and possibly provide another 50 in the following calendar year.

So the debate over who pays for them is not slowing up the delivery of these systems. They are pushed to the max. What I'd like to see, of course, are more companies in the world who could develop similar systems as well so we're just not a sole-source kind of activity here, and to try to develop sister technologies as well, like we've talked about the spectometry type of analysis systems.

But the FAA, through its threat assessments and developing counter programs for terrorism—as Ambassador Bremer mentioned, the Air Marshal program was established when hijackings were the primary threat against civil aviation and magnetometers and other screening devices, and as soon as we were able to detect firearms in bags, we had to deal with nonmetallic plastic guns as well.

So it is a struggle to stay ahead of terrorist technologies with counter technologies. But your points are very, very well taken and, again, we certainly hope that we'll continue to get the support that we have out of this committee to try to pursue these things.

Mr. GLICKMAN. I again point out we have $11 billion in the trust fund, $6 billion that is unobligated right now. Every time anybody flies anywhere, they pay 8 percent of that ticket price in order to go into a fund to keep the skies safe. Part of that is to protect against terrorism. Obviously, part of it is to do a lot of other things as well, and it's just—I would just hope that our Government sees this as a high priority and not merely respond—and Ambassador Bremer, before you will respond, I want to just ask you, in the 99th Congress, I introduced a bill to authorize the president to assign or detail members of the armed forces to guard U.S. citizens and air carriers against terrorisms at airports around the United States.

I provided an exception in the event that we needed the soldiers elsewhere and if the foreign government said no. At that time, I asked Secretary Shultz, and he said, "That is not an appropriate role for United States soldiers."

I said, "What is? Waiting for the Soviet troops to move in, which will never happen, probably?" I mean, we need to keep those people there. I said, "Isn't this about as important a role for the U.S. military to deal with as anything else?" and you know, he said, "No."

Now, I don't know if this legislative proposal is good or not. I'm going to reintroduce it.

I again go back to the point, though, how high do we really have terrorism in mind in terms of U.S. foreign policy interests or is it just lip service and we're not really going to do anything to deal with the issue at its source?

Ambassador BREMER. Congressman, I think you—we'll look at your legislation, obviously, when you introduce it and I promise you we'll talk directly to you about it when we see it.

I think it's clear that this administration shares the view of the previous administration, which is that terrorism is important. I

don't think it's lip service. I've been myself personally engaged in this particular fight for the last two and a half years and I know of the literally hundreds of people in our government who work around the clock on terrorism.

The effort itself doesn't mean that we're going to succeed in stamping out terrorism, but we are making progress and it certainly has a high priority. I don't think anybody's arguing with that.

I was looking at the figures for 1988, which we've just received, which show that of all the attacks overseas, terrorist attacks, 1988, 18 percent of them are directed against American interests. So we know we are a primary target overseas of international terrorism and we take it very seriously.

It's not to say we can solve the problem overnight.

Mr. GLICKMAN. Well, I just—you know, overnight is relative to somebody who's lost their lives in one of these——

Ambassador BREMER. I understand that. I understand.

Mr. GLICKMAN. One final question here because I know I've taken too long.

I want to go back to the question that Mr. McArtor asked you—Mr. McCurdy asked you, Allan, and that has to do with foreign flag carriers not required to undergo the same security procedures as American flag carriers on inbound flights to the United States.

It's my understanding that about half of the passengers traveling to and from Europe are basically flying on foreign flag carriers. I understand that Defense—DOT Secretary Skinner was quoted in Aviation Daily yesterday as saying that he does not want measures taken that put U.S. airlines at a competitive disadvantage with foreign airlines.

I wonder if imposing standards on foreign carriers might level the playing field here. This just doesn't seem very fair.

Mr. MCARTOR. Congressman Glickman, you're precisely correct and I support Secretary Skinner 100 percent in this. I ordered——

Mr. GLICKMAN. I mean airports around the world, not airports in the U.S.

Mr. MCARTOR. Yes, sir, I understand.

I ordered higher levels of security for U.S. carriers as an immediate response to the Pan Am 103 bombing. While we reassess the threats to civil aviation on a global basis, not just against U.S. carriers, and I wrote a letter to all of my contemporaries, all of the director generals of civil aviation in the world, telling them that I've exercised my authority and urging them to exercise their authority to go to the same levels of security for all carriers in order to protect their carriers and the traveling public.

That is a, I think—the proper process to begin with and I think that next week's meeting at ICAO with the Secretary is the next step in that process to try to get the—all countries to go to higher levels of security.

We do have—it's my understanding—I think there's some debate on this, but it's my understanding that we do have authorities to impose higher levels of security on foreign carriers from their—the last airport of departure into the United States.

We're certainly examining our options with respect to that.

Mr. GLICKMAN. One final question. Why are the new 100 percent search rules only applicable in Western Europe and the Middle East and not the entire world?

Mr. MCARTOR. Well, again, it goes to this balance concept. Where are the threats. We, in conjunction with the intelligence community and the State Department, have a reasonably good idea of where the higher-threat areas are and we try to tailor the higher levels of security against those—those threats.

But we must also say, though, that we do get alert bulletins from time to time which apply to other parts of the world, but we're simply trying to tailor our response—an appropriate level of response and try to achieve this balance.

Mr. GLICKMAN. But it's not a resource limitation, is it?

Mr. MCARTOR. No, sir. No, it is not a resource limitation at all. And were we to believe that these higher levels of security on a regular basis would be required throughout the rest of world, we'd do that. We require that on an exception basis right now.

Mr. GLICKMAN. Thank you, both, for your testimony.

Thank you, Mr. Chairman.

Mr. VALENTINE. Thank you.

Representative Morella from Maryland, is visiting with us today. We'll be glad to recognize you.

Mrs. MORELLA. Thank you very much. Thank you, Mr. Chairman.

I ask that—unanimous consent that my remarks be included in the record and I will not give, you know, a testimony on it.

I wanted to thank you for having this meeting. I had written to request it, as I know others had, to look at what we can do for airport security, what we can do with R&D.

I would like to point out that we do have among the families who had family members who were lost in that Pan American 103 tragedy, I would just like to acknowledge some people who are here today who are listening and who have submitted letters and I would like to ask unanimous consent, Mr. Chairman, that their letters might be included in the testimony.

Mr. VALENTINE. Without objection.

[The letter referred to follows:]

311 N. Royal Street
Alexandria, VA 22314

February 9, 1989

Honorable Tim Vallentine
Chairman
Subcommittee on Transportation
Aviation and Materials
Committee on Science, Space and Technology
Washington, D.C. 20515

Dear Mr. Vallentine:

The frightening legacy of Pan Am Flight 103 is that it could happen again. We live with the pain of the unnecessary loss of our children and all of Pan Am Flight 103's victims-- a loss that a lifetime of grieving will never erase. Yet, with our lives shattered we must piece together what happened and why it did and immediately search for measures we can take now and in the future to prevent murders of other airline passengers.

There are many unanswered questions about how the tragedy could have been averted, "Why weren't the passengers and their families warned? Why didn't airline security detect the bomb?

The search for answers is exhaustive because it obviously involves not only the airlines, which establish and carry out their own security operations, but also FAA, which regulates airline security, the Department of Transportation, which oversees FAA, the State Department, which manages our foreign policy, and the Congress, which is the watchdog of new legislation.

For the past few years (one report indicates even earlier), the U.S. government and airlines have known that security measures to protect U.S. airlines abroad were not adequate. The flying public did not know. Can we be expected to continue flying, when, given the current state of airline security, every terrorist group knows that all they have to do is plant a plastic bomb and it will most probably go undetected? Can we continue to put trust in our airlines and government? The message seems to be if things are too complex, costly, or disruptive lets keep our operations normal, our profits rolling, our policies the same for, the unthinkable may never happen.

It was not until recent news reports that we learned of the Thermal Neutron Analysis Device, which can effectively detect plastics, like Semtex, and other similar explosives and the E-Scan, an x-ray device that can pick up the difference between inorganic materials and organic materials like like plastics. We understand that the the Thermal Neutron Analysis Device,

which has not yet been put into operation, costs about one million dollars per device. The E-Scan, which is being used on a limited scale, costs about $65,000 per device.

We ask ourselves why more E-Scan devices, given their low cost and availability, are not being used by U.S. airlines in primary security detection at a time when there are rising threats from terrorists. Why hasn't FAA required interim measures for their use in combination with other security measures? Why haven't any of the Thermal Neutron Analysis Devices been put on the market? We ask ourselves why Congress, has not authorized special monies for the research and development of security equipment and acceleration of U.S. airline security operations.

As the House Committee which oversees airline research and development, we urge you, not only to consider these unanswered questions in this hearing, also to take effective legislative action in time to stop another airline disaster like Pan Am Flight 103.

With sincere appreciation for your efforts, the following parents of students who never returned ask your support,

James Wolfe and Rosemary Wolfe, Alexandria Va.

James Wolfe & Rosemary Wolfe

and

Ronald and Jeannine Boulanger, Shrewsbury, Mass.
Dan and Susan Cohen, Port Jervis, N.Y.
Kathleen and Jack Flynn, Chevy Chase, Md.
Paul Hudson, Albany, N.Y.
Peter and Susan Lowenstein, Morristown, N.J.
Larry and Rosemary Mild, Severna Park, Md.
Louis and Anne Rogers, Olney, Md.
Peter and Aphrodite Tsairis, Franklin Lakes, N.J.

Mrs. MORELLA. Thank you. Rosemary and Jim Wolfe are here, who had a stepdaughter, Marian, who was in the tragedy; Kathleen and Jack Flynn, whose son, John Patrick Flynn, is now deceased because of the tragedy; Mrs. Pat Kingham, whose husband, Jay; and Mr. and Mrs. Louis Rogers, daughter Louise—they're part of that Syracuse group.

They're here today, and certainly a lot of others who are here and those who aren't here who care about it, is because they want to remedy and rectify so that this will not happen again. Indeed, we all join in—in trying to find the answers and the fast changes so that it cannot take place again.

I wanted to just pose a couple of questions and Mr. McArtor, again, I—I appreciate the work that you have done in public service for the FAA.

I wanted to ask you if that TNA had been in—in effect, would it have avoided the—averted the Pan American tragedy?

Mr. MCARTOR. If—may I preface this with just——

Mrs. MORELLA. Sure.

Mr. MCARTOR [continuing]. A little comment here? The TNA system, as I mentioned before, is—the through-put is one of the things that we consider to be quite key as well as its accuracy of detection. And not—any—any airport environment would require for full use more than one TNA system. Anytime a system stream, if you will, slows down for detection, you can think of it as a toll booth where you have to fan out, go through several before you go again, so it might require several TNA systems at a major airport in order to screen all of the bags.

If such a system were in place and if all bags were going through that system, we believe that the kinds of explosives that we understand were used in Pan Am 103 could have been detected by the TNA system.

Mrs. MORELLA. That answers that. Which shows we should move ahead further on it.

Mr. MCARTOR. I might also say, which, I guess, is sort of an obligatory comment, that the—the accident investigation has not conclusively determined how the explosive got on board, whether it's through passenger luggage or not.

Mrs. MORELLA. Which is why we're not asking any questions specifically——

Mr. MCARTOR. Yes, ma'am.

Mrs. MORELLA [continuing]. Regarding that investigation because, as you mentioned, it is going on now.

What about something like the E Scan—I know it's some hand situation—screen. You haven't mentioned that.

Mr. MCARTOR. The problem with most sampling devices which—air-sampling devices which look for vapors of nitrogenous or nitrogen-based compounds is they're slow because they have to—they actually have to take samples and you either have to get very close to the subject matter or you have to—actually go into an enclosure where you can take an isolated sample in order to measure it. And so it's the through-put of that.

Now, again, on an exception basis, be it the security of a U.S. embassy or at an airport or whatever—on an exception basis, we find these to be quite effective technologies and we're looking for-

ward to implementing them. As a normal, routine through-put kind of thing, where all bags, all passengers use them, we're concerned about the time that it would take to do that.

But we do find these to be exciting technologies and we're looking forward to—to operational products.

Mrs. MORELLA. There are a number of other technologies that I've read about, so I'm pleased that you're moving quickly on it.

Ambassador Bremer, in talking to the families of the victims, one of the things that kept coming through is what is our policy with regard to alerting people of terrorist threats? You know, how do we cut it off and say we don't advise this group or we do advise that group, because many of them felt that if you had notified the embassies and the airports that, indeed, there should have been some notification to the possible passengers.

Ambassador BREMER. I know and I understand those concerns on the part of the families.

First of all, you—I think you have to start by understanding that every week we receive literally dozens of terrorist threats. Most of those threats are directed at American officials or facilities abroad, but they are all urgently and carefully analyzed by the intelligence community here.

If we deem that a particular threat is credible, we then take—our policy is to take immediate steps to counter the threat and the most effective way of doing that, particularly in the case of threats against airlines, is to get the information, the threat information, into the hands of people who can take steps to counter the threat.

For example, in the case of a threat to an airline, what we want to do is get that information into the hands of airport security officials who are responsible for airport security so that they can take steps to counter the threat, and that, indeed, is the entire purpose of the FAA security bulletins which are issued. They are issued to corporate security officials for use by the corporate officials themselves and by airport security officials.

Now, we do not routinely make terrorist threats public, nor do we intend to. To do so, among other things, would certainly encourage copy-cat terrorist threats. We find whenever there's a serious terrorist incident or a serious threat which has come to public attention, we get a spin-off of additional terrorist threats and it seems to us that that kind of process would initially cause panic and disrupt air traffic, and in the end would, of course, undermine credibility in the entire system as people became tired of it.

I understand from the FAA, we already receive an average of three threats a day to American airlines or American airports, for example.

Nor is our policy to selectively alert people to terrorist threats. If we have a credible and specific terrorist threat, then—and we figure it cannot be countered on the ground by people who are responsible for countering that threat—then it is our policy, in the first case, to encourage the airline to cancel the flight in question and if we don't do that, to issue a public—I repeat, public travel advisory.

There is no place in our policy, and nor can there be any place in our policy for a double standard.

Mrs. MORELLA. So you talked about a public travel advisory because of the many threats—and I realize you get a lot that are unfounded, but those that you think have some possibility of credibility that you—you notify the airports.

What about, in the case of, let's say, Pan American 103, where there was the threat to the point where you felt you had to alert the embassies also. Would not a travel advisory—some people would have still traveled on a plane if it were convenient and they realize that this was simply a threat and——

Ambassador BREMER. The purpose of the telegrams which are sent to the embassies when the FAA issues a security bulletin is not to alert the embassy; it is to get the information into the hands of the civil aviation attaché at the embassy or the security officer at the embassy so that they can go talk to the airport officials about taking the steps that are needed. It is not to alert the people. There is no policy of a double standard.

I think it's fair to say that the—in the case that you're referring to, there was some confusion at one of our embassies about what the role of those bulletins were. We've clarified that very, very clearly since then to all missions in the world, but the policy is not to have a double standard. It is unacceptable to the Government and to the American people that there should be a double standard.

Mrs. MORELLA. Do you have this—these rules in writing——

Ambassador BREMER. Yes, we do.

Mrs. MORELLA [continuing]. So we could—all right, I'd like to talk to you about it later. Thank you.

Thank you very much, Mr. Chairman.

[The prepared opening statement of Mrs. Morella follows:]

OPENING STATEMENT

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

SUBCOMMITTEE ON TRANSPORTATION, AVIATION AND MATERIALS

AIRPORT SECURITY

FEBRUARY 9, 1989

THE HONORABLE CONSTANCE A. MORELLA

IN A LETTER I WROTE TO THE CHAIRMAN OF THIS SUBCOMMITTEE, I ASKED FOR A HEARING ON IMPROVING AIRPORT SECURITY IN ORDER TO MEET THE THREAT OF EXPLOSIVES IN AVIATION. I COMMEND THE CHAIRMAN, MR. VALENTINE, FOR INITIATING THIS HEARING, AND I THANK THE MEMBERS FOR THIS OPPORTUNITY TO PARTICIPATE.

I HAVE SPOKEN TO FAMILIES OF MY CONSTITUENTS WHO WERE PASSENGERS ON PAN AMERICAN WORLD AIRWAYS FLIGHT 103, AND FROM THESE CONVERSATIONS THREE MAJOR CONCERNS HAVE EMERGED. THE MAIN CONCERN CENTERS AROUND THE QUESTION OF FAA NOTIFICATION TO THE TRAVELING PUBLIC WHEN A TERRORIST'S THREAT AGAINST A PARTICULAR AIRLINE OR FLIGHT HAS BEEN RECEIVED, AND DETERMINATION HAS BEEN MADE TO NOTIFY AVIATION AUTHORITIES AND EMBASSIES ABROAD. A SECOND ISSUE, RAISED BY THE WIFE OF A JUSTICE DEPARTMENT OFFICIAL WHO WAS KILLED IN THIS CRASH, CONCERNS SECURITY BRIEFINGS FOR FEDERAL GOVERNMENT OFFICIALS WHO MUST TRAVEL IN AMERICAN CARRIERS. THIRDLY, WE MUST DEAL WITH IMPROVING AIRPORT SECURITY.

SOME OF THE FAMILIES WHOSE RELATIVES WERE PASSENGERS ON FLIGHT 103 HAVE WRITTEN ABOUT THEIR CONCERNS, AND I ASK UNANIMOUS CONSENT THAT THESE LETTERS BE INCLUDED FOR THE RECORD. THIS HEARING WILL ADDRESS SOME OF THESE CONCERNS. IT IS NEITHER THE TIME NOR THE PLACE TO DEBATE WHO IS RESPONSIBLE FOR THE TRAGIC DOWNING OF FLIGHT 103. THIS INVESTIGATION IS NOW WORLDWIDE AND WILL NOT BE SETTLED HERE THIS MORNING. CERTAINLY IT IS MY HOPE THAT THE BRITISH ACCIDENT INVESTIGATION BUREAU, THE FAA, THE FBI, AND THE NATIONAL TRANSPORTATION SAFETY BOARD WILL COMPLETE THEIR INVESTIGATION AND REPORT THEIR FINDINGS AS SOON AS POSSIBLE.

WE CAN, HOWEVER, FOCUS ON SOME TOPICS THAT NEED FURTHER DISCUSSION AND CLARIFICATION. WHAT INFORMATION DOES THE TRAVELING PUBLIC HAVE A RIGHT TO KNOW? WHAT IMPROVEMENTS IN AIRPORT SECURITY IN THE UNITED STATES AND OVERSEAS CAN WE EXPECT IN THE NEAR FUTURE? WHAT LEVEL OF FUNDING WILL BE REQUIRED IN THE NEXT FIVE YEARS FOR RESEARCH AND DEVELOPMENT INTO INNOVATIVE DETECTION SYSTEMS? WHAT INTERIM MEASURES CAN WE TAKE TO STOP A TRAGEDY LIKE THE CRASH OF THE PAN AMERICAN FLIGHT?

WE HAVE A RANGE OF WITNESSES WHO CAN ANSWER THESE QUESTIONS ABOUT IMPROVING AIRPORT SECURITY. I LOOK FORWARD TO HEARING FROM THEM AND IN WORKING WITH THEM TO ACHIEVE GREATER PEACE OF MIND AND SAFER CONDITIONS FOR THE TRAVELING PUBLIC.

Mr. VALENTINE. Thank you.

Before I recognize our colleague from Maryland, Mr. McMillen, let me just say on behalf of the members of this subcommittee and the staff people on the subcommittee and Chairman Roe to—and all the staff of the full committee—to those of you who are here whose lives have been touched personally by this tragedy, that you have our—our heart goes out to you. You have our sympathy. Many of us here have—have suffered similar types of personal tragedy ourselves and we know and understand your anguish.

Mr. McMillen.

Mr. MCMILLEN. Thank you, Mr. Chairman. I commend you, likewise, for holding these hearings.

Years ago, in 1972, I was an Olympic athlete and experienced firsthand terrorism in Munich where a number of athletes were murdered, and, of course, I'm deeply sorrowed by what happened on the Pan Am flight. I had a constituent, Marian Wolfe, who was onboard that flight.

I guess my—I want to follow up on what Representative Morella was asking. It may be more appropriate for the Executive Committee, but if—if I'm correct, the notice that was received on Pan Am 103 was that—that an American carrier leaving Frankfurt in the next two weeks received a specific threat.

Is that correct?

Mr. MCARTOR. To be perfectly correct about it, we did not receive a notice on Pan Am 103—that the threat was a flight from Frankfurt to JFK, which was the specific threat notice.

Mr. MCMILLEN. So it was not a general threat. It was a—the threat was specific to a certain flight. Is that correct?

Mr. MCARTOR. No. It was not directed—it did not mention Pan Am, either as a carrier or Pan Am 103. It was a United States—do you want talk to them about that? It did mention Pan Am; I beg your pardon?

Ambassador BREMER. But not the flight number.

Mr. SALAZAR. But not the flight number, and as many of these threats are, they involve regions and are not specific to particular—to particular airlines.

Mr. MCMILLEN. What was the notice? I'm just curious. Was it a—I mean, was it a specific threat against Pan Am leaving Frankfurt in a specific time frame?

Mr. SALAZAR. As you pointed out, sir, it was—it was—it was a threat for a flight between Frankfurt and the United States JFK over a two-week period of time, yes, sir.

Mr. GLICKMAN. If the gentleman would yield, it was also Pan Am—directly referred to Pan American——

Mr. MCARTOR. That's correct.

Mr. MCMILLEN. How many flights does Pan Am have in that period of time from Frankfurt to New York—is that where you're referring to or—how many flights would that be during a two-week period of time?

Mr. SALAZAR. I do not have the—the exact number.

Mr. MCMILLEN. Can you ball-park it?

Mr. SALAZAR. I would suspect Pan Am operates several flights a day, connecting through a number of cities, ultimately going into JFK, perhaps three, five a day.

Mr. McMILLEN. Nonstops, maybe 30? In that 2-week period of time?

Mr. SALAZAR. Perhaps so.

Mr. McMILLEN. Or less?

Mr. SALAZAR. Possible.

Mr. McMILLEN. My question, Mr. Chairman, I'd like to pursue this further under Executive Committee is, you know—where—as Representative Morella was trying to get at, where is the line drawn on this? Where—does the public have a right to know of terrorist threats against airlines, particularly when the time frame and the carrier is so specified?

The other question I'd like to ask has to do with—and I understand, Mr. McArtor, one of the problems has been raised today is that it's very difficult for us to police foreign carriers and to establish similar standards abroad. Isn't it true that we've seen more maintenance on United States carriers being done in foreign countries, in countries such as Chile, by airlines such as Continental, where we are taking away some of the quality controls in regards to our security precautions?

Is that correct?

Mr. McARTOR. The short answer is no, sir, because you finished it with "taking away the quality controls." The foreign repair stations that are in—in being right now are fully qualified, fully monitored, capable repair stations around the world and there is more business being done there, but there's more business being done domestically as well. It's about a two-to-one trade. We do twice as much and are growing twice as fast here as we are internationally in that we do a lot more maintenance of foreign carriers here as well.

Mr. McMILLEN. Are the background checks similar for a maintenance worker in Chile who has access to very—very secure areas—are the background checks on that employee the same as they are for maintenance in this country?

In other words, if I wanted to go work for——

Mr. McARTOR. I understand your question. I'm not sure that I know the precise answer on the maintenance side. The security personnel that are provided by the carriers that—on the background checks are similar, but I'd have to get back to you on——

Mr. McMILLEN. Let me ask you a more specific question. What is the background check on an American maintenance security worker, a worker that has access to these securities? I mean, what kind of background check do you place on these employees?

Mr. SALAZAR. We require either a full background check or the examination of the last 5 years of employment.

Mr. McMILLEN. It was——

Mr. SALAZAR. If that individual is to be permitted unescorted access to restricted areas on airports.

Mr. McMILLEN. I understand that it's a 6-month background check on prior employment for those employees who have issued an access card to parts of the airport that are beyond security points; is that correct?

Mr. SALAZAR. I'm sorry, again, I——

Mr. MCMILLEN. Six months background check, on employees who have an access card to parts of the airport that are beyond security points?

Mr. SALAZAR. If that's all that's verifiable, then—then perhaps it may be six months, but again, the requirement is a background check or the last five years of employment.

Mr. MCMILLEN. So that's the case domestically, right? You're saying it's not 6 months, but it's 5 years.

Mr. SALAZAR. Yes, sir.

Mr. MCMILLEN. A full background check on 5 years of employment, is that correct?

Mr. SALAZAR. Either/or, yes, sir.

Mr. MCMILLEN. Okay.

Could you provide the committee what it is for comparable maintenance workers in foreign—foreign countries that might have that access card?

[The information follows:]

The Federal Aviation Regulations require that each foreign national employed by a U.S. air carrier in a foreign country undergo a background investigation. The U.S. air carrier must certify to the FAA that the background investigation has been conducted by the appropriate foreign government authority.

Whether foreign airport employees not employed by U.S. air carriers receive a background investigation is dependent upon the aviation security policy of the respective foreign government. In most instances, these workers are employees of the foreign government.

However, all employees of foreign airports, in high threat areas of the world, who work on or near U.S. air carriers, undergo a physical search prior to beginning their work activity. Employees subject to the physical search include among others, caterers, cleaners, baggage handlers, fuel truck drivers and mechanics.

Mr. MCMILLEN. My questioning relates to more of this maintenance being done on U.S. carriers abroad and why I would like to see that parallel—parallel background checks and parallel security regulations are in place.

Thank you very much.

Mr. VALENTINE. Let me—let me say before I recognize the gentleman from Connecticut, Mr. Shays, that the—perhaps this need not be said, but I—I feel that I should mention it. I assume that the witnesses who are seated at the table before me and those who will come hereafter recognize the fact that the Chair is without sufficient knowledge or expertise to make a decision if a question is asked that you might regard as—would lead you into some sensitive area——

Mr. MCARTOR. Yes, sir.

Mr. VALENTINE [continuing]. You would not be expected to answer it just because it was asked to you——

Mr. MCARTOR. Yes, sir.

Mr. VALENTINE [continuing]. In this public forum.

I recognize our colleague from Connecticut, a member of the subcommittee—he's not here? Well, he'll be back shortly.

A new member of this subcommittee from the State of California, Congressman Rohrabacher.

Mr. ROHRABACHER. Mr. Ambassador, how many lives have been lost since 1980 to terrorist attacks?

Ambassador BREMER. Since 1980?

Mr. ROHRABACHER. Yes.

Ambassador BREMER. Worldwide? Tens of thousands. I don't know the number offhand. I know, for example, that 20,000 have been killed in Peru since 1980 alone. I mean, it's in the tens of thousands.

Mr. ROHRABACHER. Well, guerrilla war—okay, let's—let's—how many lives have been lost—airports in terrorist attacks on aviation and Free world aviation?

Mr. SALAZAR. I believe the figure since 1980, sir, is about 900.

Mr. ROHRABACHER. And how many terrorists have been apprehended and executed?

Ambassador BREMER. I'd have to get a figure for you. I don't know.

Mr. ROHRABACHER. What would you guess? What would you estimate?

Ambassador BREMER. Worldwide?

Mr. ROHRABACHER. In the Free World.

Ambassador BREMER. And executed? Very few.

Mr. ROHRABACHER. Probably zero, right?

Ambassador BREMER. I——

Mr. ROHRABACHER. Can you give me——

Ambassador BREMER. I just don't know. I don't know offhand.

Mr. ROHRABACHER. So in this war, as my colleague said, we are in a war against the terrorists, and they have—they have managed to kill 900 of the good guys and we haven't managed to get any of the bad guys. Is that right?

Ambassador BREMER. I told you, I don't know if any have been executed. I can't answer the question.

Mr. ROHRABACHER. Mr. Administrator, would you categorize what happened to the Pan Am flight as a failure of security measures or a failure of American intelligence?

Mr. MCARTOR. The attack against Pan Am 103 was a criminal act, Congressman, and I think maybe both the committee and the people here assembled need to—need to recall that this is not like a crack in the skin of an airplane or something like that that more frequent inspection can fix or some sort of maintenance thing that you can gear up for.

These are criminal acts with people who have intent to harm, specific knowledge and possibly even access, and that—it points out—your comments and the comments of the rest of the congressmen here point out the extraordinary frustration that this country and the Free World has with terrorism. It's an unseen enemy. They do despicable crimes. It is foreign to our culture. We don't understand it. They can—they can kidnap our citizens off the streets. They can hold them for years. We feel powerless against this. They can bomb our airports, our airplanes and buses and so that the Pan Am 103 tragedy simply focuses this entire frustration that we have with terrorism in general.

Are we losing the war against terrorism? I don't—I don't know whether I can comment on that other than to say we're certainly working very, very hard to develop security measures, techniques, processes, to make sure that our—our population, our way of life, are not unduly disrupted by terrorist activities.

But your points are very well taken and I would certainly hope that this—this same sense of commitment toward the battle of ter-

rorism would spread throughout the rest of the Congress and—and the 101st Congress will take some action this year perhaps to gear up on this war against terrorism.

Mr. ROHRABACHER. Well, the people of the Western World have been under attack at least since 1980, if not long before 1980. We've been losing people and the American people are looking to us, their government, to protect them from this villainous attack.

And, Administrator, how would you categorize our government's protection for citizens?

Mr. MCARTOR. The threats, as we understand them, and I think it's generally accepted public policy, that threats, as received, should be analyzed by those who are skilled in intelligence and threat assessment and that there be a—an efficient communications link between security and law enforcement agencies, both domestically and global, to share that threat information and an assessment be made as to whether security precautions in place are adequate to counter or deter that specific threat.

If they are determined not to be adequate, then additional security measures are taken in order to counter or deter that threat, and if, in the final analysis, it is felt that the—the security, even though heightened, is not sufficient, then the public is protected by, in our case, the airplane simply doesn't fly. It is canceled.

Mr. ROHRABACHER. How would you—I'm really interested in your giving me your analysis of the job that the fellow next to you has been doing in terms of counterterrorism in the intelligence area? I mean, I know you're doing the best you can and I'm sure you'll be able to pat everybody on the back who works for you saying that we're trying to protect the airplanes from the bombs getting on so we're having security devices, but what about American counterterrorism efforts in the American intelligence community?

Mr. MCARTOR. Well, from our perspective, we are not denied at all access to State Department or other modes of intelligence with which to do our jobs. So we are not frustrated by—by any lack of access to knowledge as it exists.

Mr. ROHRABACHER. I didn't catch that. What's the answer——

Mr. MCARTOR. Well, you asked me whether I was satisfied with him——

Mr. ROHRABACHER. You think Bremer was doing a good job?

Mr. MCARTOR. Yes, I do.

Mr. ROHRABACHER. All right.

Mr. VALENTINE. Thank you, sir.

Congressman Boehlert, from New York.

Mr. BOEHLERT. Thank you, Mr. Chairman.

I'd like to follow up on something you said a little bit earlier in extending to the families whose lives were so directly and personally touched by this tragedy the sympathy of the full committee. You have more than our sympathy; you have our commitment to be part of the solution, rather than perpetuators of the problem.

And having said that, Mr. McArtor, I'd like to ask you, is our R&D program, our research program, technology-driven or budget-driven? In other words, are dollars made available as quickly as your researchers tell you they can effectively use them or is research sometimes slowed by budget considerations?

Mr. McArtor. Well, I think, in all honesty, yes, we could use more research dollars across the board, not just on security types of research and development, but in general. The FAA is emerging as a very legitimate research and development agency. It does not have a long history, such as NASA or the DOD, with respect to that and we've reorganized ourselves now in our research and development area and with respect to our tech center—technical center—and are now pursuing very sophisticated and very aggressive research and development programs——

Mr. Boehlert. But you could use more dollars, you're saying?

Mr. McArtor. Well, we can—I think we can always use more dollars, but I might say that there is not a—for instance, an explosive detection technology or a plastic weapon technology that we cannot pursue for lack of resources.

Mr. Boehlert. But is the pace sometimes slowed by the fact that your researchers need that something more right away and they can't get that something more right away in terms of dollars?

Mr. McArtor. It's not——

Mr. Boehlert. We know—you know what I'm driving at. I have great admiration——

Mr. McArtor. I know exactly——

Mr. Boehlert [continuing]. For the job you're doing——

Mr. McArtor [continuing]. But the—the amount of dollars is one issue; the ability to employ those dollars, either through grant programs, which are—we are not allowed to—to give just yet—we're going to maybe try to change that like NASA can give research grants to academic institutions or research centers, sole-source procurements, our ability to employ resources against research are just as restrictive to us as the total number of dollars available to us.

Mr. Boehlert. What you're saying to me, then, I think, in effect—and you're finessing it somewhat, if you will permit me to characterize it as such—that so often our research is budget-driven rather than technology-driven.

And the reason I emphasize that is that we have—following up on what my colleague, Mr. Glickman, has pointed out—we have $6 billion sitting idle in the trust fund. I happen to be one who believes in truth in government. We tax the American flying customers 8 percent of each ticket. They are told that that money is going into a trust fund which will be used exclusively for improving and enhancing our aviation system, including safety.

I think they have every right to expect that we follow through. There are a number of us who are trying our hardest to convince the powers to be in the U.S. Government that we should have honesty in government and we should follow through, and rather than having $6 billion sitting idly in the trust fund and being used as a score against the deficit, which is not truth in government, we should be using that for research and development so that our research and development would be technology-driven.

As fast as our researchers tell us they are ready to move ahead, we should say, "Here's the green light. You go."

Now—and I know I'm putting you in a very ticklish position—

Mr. McArtor. No, sir, as a matter of fact, you're not and I appreciate your support and share every bit of your frustration over

the trust fund, but as you recall, the current system is that the authorizations and appropriations of those moneys are done just as any other budget within the Congress and I will assure you that I have spent every nickel the Appropriations Committee has given me to spend.

Mr. BOEHLERT. You would agree that we're sort of hood-winking the American people when we lead them to believe that our deficit is at one level because we score the surpluses or unexpended balances in our trust fund against that deficit, when in reality, the deficit is much higher than it is and those trust funds can only be used for the stated purpose.

Let me—I won't even ask you to answer that. I have great admiration for you, and you know it.

Another question. Is our detection equipment the most technologically advanced available anywhere in the world? Would you say? I'm a great believer in buy-America, but if the other guy has a product that is superior to ours, while we are researching the development of a superior product to his, I would buy his.

Mr. MCARTOR. We're not wed to any—any buy-America theory, I will assure you. We're confident that the thermal neutron analysis system is truly state of the art. I think there might be some—some higher levels of technology that I would like to see pursued with respect to plastic weapons detection, imaging recognition systems where we can supplement the human operator of screening with artificial intelligence and image recognition systems. All of these are—are states of the art that I think could be explored and would be effective for overall global security.

Mr. BOEHLERT. Do we go——

Mr. SALAZAR. May I just add as well, sir, that we—we bring out pretty well all the existing technology. What we see developing right now within the United States, we certainly view as about the best. We have formal agreements between other countries for the technical exchange of information.

We are—we are standing members, if not official observers, at a number of—of—of foreign committees where technical exchanges occur, so we feel that we are very much in the pipeline of what's being developed, not only here in the United States, but in the world.

Mr. BOEHLERT. We have the technical exchange programs, but I'm wondering if we have any truly international cooperative efforts on research and development, because I think we all can concede that terrorism truly is an international problem. It's not exclusively the problem of the United States of America.

Do we have any international research efforts under way?

Ambassador BREMER. Yes, we do, Congressman. In my national counterterrorism research and development program, we have established cooperative programs with a number of our close allies in the area of research and development, including some technologies that might be useful in aviation security.

Mr. BOEHLERT. Finally, one further reference, Mr. McArtor, to your testimony. You point out on page 4 that "We're continuing our aggressive program of foreign airport assessments," and you report that since the inception of the program in 1986, "We've conducted nearly 800 visits to 216 foreign airports in 107 countries,"

and you say the cooperative approach has been shown generally by host governments.

Are there host governments that are not cooperating with us? And if they are not cooperating with us, do we penalize them? In other words, have they got the message that we're dead—dead serious about this?

Mr. MCARTOR. Yes, sir. Obviously, I think when it comes to issues of sovereignty, you can imagine that some countries are—I won't say less cooperative, but certainly more protective of their—their sovereignty and have some objection to a U.S. Government agency, like the FAA, coming into their country to make an assessment of security at those particular airports. They all, though, at the end of the day, have been cooperative and have allowed us to do that, and only once have we found an airport to be so deficient that we had to, in essence, issue a public notice that we felt that the security was not adequate at that particular airport.

Mr. BOEHLERT. And in that public notice, would you prohibit U.S. carriers from using that facility?

Mr. MCARTOR. No, sir, it's an advisory. If you recall, it was the Manila Airport in the Philippines some time ago and you may recall seeing some of the notices posted in airports and with travel agents.

Mr. BOEHLERT. And what was the response from the U.S. carriers? Did they continue to fly in and out of Manila?

Mr. SALAZAR. Yes, they did, but under—under—implementing extraordinary security measures.

Mr. BOEHLERT. The airlines themselves?

Mr. SALAZAR. The airlines themselves, yes, sir.

Mr. BOEHLERT. And there were no incidents during that period?

Mr. SALAZAR. No, sir, there were not.

Mr. BOEHLERT. Just one last thought, Mr. Chairman, and I will yield to my colleagues.

I felt that a notification—and I understand the dilemma you face, but if it is sufficiently serious to warn anybody outside the agency, it seems to me it is sufficiently serious to warn everyone.

Thank you, Mr. Chairman.

Mr. VALENTINE. Thank you, Mr. Boehlert.

An ever so gentle reminder to our colleagues who have suffered through everybody else's questions, we've got a lot of witnesses and we need to move along.

Mr. Shays is recognized.

Mr. SHAYS. Thank you, Mr. Chairman.

I just want to say for the record I'm sorry I missed part of this hearing. I had a—recorded votes in the full committee and to say that the destruction of Pan Am Flight 103 hit home, particularly for me because I had two residents in my own home town of Stamford and attended their funerals, so it did hit home—and say, as someone who flies an airplane, when I get on, I pray that those who prepare the plane for flight and those who fly it are alert, have had a proper sleep, don't drink much and aren't on drugs and so there's a lot of concerns other than just this.

I wanted to thank you, Ambassador Bremer, for the job you've done in the past and what you're doing today and say that I'm going to reserve my questions for the closed session, except to ask

one question, and that is, in terms of terrorism, do you think that we're making significant progress in holding accountable those countries that fund, that train and provide a safe haven for these terrorists because it seems ultimately to me that we've got to hold those countries accountable for what they have done to contribute to this problem?

Ambassador BREMER. I agree. It's a very important problem, and as you perhaps know, Congressman, the Export Administration Act requires the Secretary of State annually to designate those States which we consider sponsor terrorism. There are currently six States on that list and we—as a result of that designation, take a variety of measures that the Congress has required us to take in our relations, our economic, political and diplomatic relations with those countries.

It is important to keep the focus on the issue of State support because, as you point out, a number of terrorist groups, particularly some of the most vicious ones, rely very heavily on State support, and we must understand that until we can get to the problem of State support for terrorism, we cannot truly tackle the problem of terrorists.

Mr. SHAYS. Thank you.

Thank you, Mr. Chairman.

Mr. VALENTINE. Thank you.

We're happy to have with us today the ranking Republican member of the full committee, Mr. Walker.

Mr. SHAYS. Was your warning for him instead of me?

Mr. GLICKMAN. He gets one minute. [Laughter.]

Mr. WALKER. Thank you, Mr. Chairman. I will be very quick.

Mr. VALENTINE. I was just going to ask him to please behave himself.

Mr. WALKER. I will try to do that, Mr. Chairman.

Mr. VALENTINE. All right.

Mr. WALKER. Are there places—you say in your statement, Mr. McArtor, that there are places that we are vulnerable. Are there places in this country where we're more vulnerable than others?

Mr. MCARTOR. Well, I think it'd be safe to say that there are. If you'll recall, we've instituted a rule requiring computerized access systems to airports so we can keep track of ID cards of employees at airports. Major airports employ thousands and thousands of people, and have a lot of trucks and vehicles and fuel trucks and house trucks and goodness knows what all coming onboard, so the challenge of providing security certainly varies, depending on the activity and the location of the airport.

But we feel quite comfortable with the domestic security system, so we work very hard at that and we hold both the airports and airlines accountable for those systems.

Mr. WALKER. But the answer is yes, there are some places in the country where we're more vulnerable than others?

Mr. MCARTOR. Yes, I think that's safe to say.

Mr. WALKER. And are there places in the world where we're more vulnerable than others?

Mr. MCARTOR. Yes, sir.

Mr. WALKER. Now, do—do we have any way of specifying where those places are, both domestically and worldwide?

Mr. MCARTOR. Well, certainly, internally, we know where hot spots are and we know where the airports are that we work with closely to try to improve their—their local security, be it a perimeter fence—keep the integrity of the perimeter fence or keeping the access gates locked or whatever, so there's some airports who are more attentive to those details than others, yes.

Mr. WALKER. Internally within FAA, then, you have some idea, both domestically and in—in—in foreign operations, where vulnerability exists?

Mr. MCARTOR. Yes, sir.

Mr. WALKER. Is that information which should rationally be shared with the public?

Mr. MCARTOR. No, sir.

Mr. WALKER. Why?

Mr. MCARTOR. Well, again, I think it's a matter of whether the means exist to provide adequate security to deter or counter known threats or perceived threats and where they are not, we seek to have them improved, and if they don't become improved, then we issue—just as we did some time ago in Beirut, where we say that the United States Government cannot—cannot guarantee that those traveling in and out of Beirut would be safe.

So I don't know—I don't think that it is a—it is counter to public policy, and again, whether it's with respect to the aviation or the halls of Congress or the New York Stock Exchange or the Super Bowl or anything else, that all threats that are received be shared with everybody. I think that they need to be communicated to those who can do something about it, and then holding those people who are accountable for doing something about it to do just that.

Mr. WALKER. Do FAA employees routinely use those domestic airports that are regarded as the most vulnerable?

Mr. MCARTOR. Oh, yes, sir, absolutely.

Mr. WALKER. Do FAA employees routinely use those airports worldwide that are regarded as vulnerable?

Mr. MCARTOR. Yes, sir, absolutely.

Mr. WALKER. Thank you, Mr. Chairman.

Mr. VALENTINE. Thank you, sir.

I have one short question and I want to—this is an unusual thing because I want to say—suggest this to you. If you care to answer this, not for the record here today, I invite you to do so. I realize that it might be maybe the least bit controversial, but you see this weapon, this utilitarian object here that has been discussed and presented to you today—is made out of a new—maybe perhaps even space age substance.

If this knife were made from metal, it would be detected. I assume you can make a sidearm out of the—make a pistol out of the same material. Would it, in your opinion, be feasible if the Congress undertook to prohibit the manufacture and possession of this type of instrument where nobody would lose anything—you could fix the same—except maybe somebody would have some patent problems—some people would lose money.

I ask that question, and not for you to answer here today, but—because I realize it's a hot potato. There's an organization that

would—especially the second party—would jump up and have—do head spins and everything else.

Mr. SALAZAR. The Congress has seen to that, sir, and has already passed legislation that prohibits the manufacture, importation of—of plastic weapons.

Ambassador BREMER. Or ceramic.

Mr. LEWIS. He is asking about the making——

Mr. VALENTINE. I'm talking about the manufacture.

Mr. SALAZAR. It's current legislation that makes that against the law, sir. Against the law.

Mr. GLICKMAN. For firearms, right? Not knives.

Mr. SALAZAR. That's right.

Mr. VALENTINE. That would include this—firearm——

Mr. GLICKMAN. It would be a firearm made of that material. Not that.

Mr. VALENTINE. All right. Thank you, thank you, gentlemen, very much and I—those of you who will have some responsibility to testify at the closed hearing, well, you understand about that and we—we appreciate your efforts and your testimony here today.

We'll recognize Mr. Berrell. We recognize at this time Mr. Robert P. Berrell, who is the father of Steven Berrell, victim of Pan Am 103. He's from Fargo, North Dakota.

Those of you who are departing, would you please bear in mind that we are in—still in session and leave as quietly as possible. We have a need to proceed with these hearings.

Let me welcome you here today, Mr. Berrell, and say again to you what I've said to the group, that you have our sympathy. We understand what you have gone through and we are—we welcome you here. We await your testimony—the statement that you have presented to us will appear in the record in toto, so you may read it or summarize it or proceed in any way you deem appropriate.

Let me say that your distinguished member of Congress, Mr. Dorgan, who made arrangements—who contacted my predecessor, Mr. McCurdy, and he contacted me when I became chairman, to make arrangements for you to appear here. We have worked with him to arrange this and he wanted me to say to you—and I'm happy to do that—that he had expected to attend this hearing today, but has been called away because of the grave illness of his father, which explains his absence here today, sir.

STATEMENT OF ROBERT P. BERRELL, FATHER OF STEVEN BERRELL, VICTIM OF PAN AM FLIGHT 103, FARGO, ND

Mr. BERRELL. Thank you, Mr. Chairman, members of the committee.

I'd like to briefly summarize my prepared statement.

First of all, thank you for inviting me to testify at this committee. It means a lot to me and I think to the parents and relatives of all of those associated with the Pan Am 103 disaster.

Mr. VALENTINE. Would you pull the microphone a little closer to you, sir.

Mr. BERRELL. Okay.

My name is Robert Berrell. I'm an automobile dealer from Fargo, North Dakota. My 20-year-old son, Steven, was a student at Syra-

cuse University until December 21st, 1988, when he was blown out of the sky, along with 258 other unsuspecting passengers and crew, aboard Pan Am 103.

My interest in testifying before this committee today is not to dwell on the faults or blame as they relate to the Pan Am 103 incident, but rather, to emphasize the actions that must be taken in order to prevent similar disasters in the future.

I bring no particular expertise to this committee hearing other than possibly sadness, grief and tears. But it is this firsthand experience with grief that has driven me to ask to testify before this hearing in the hope that this committee and Congress, as a whole, will accelerate its efforts to protect American air travelers all over the world.

I've asked myself a thousand times or more what could have been done to prevent the 103 disaster. I believe the answers fall into three categories.

The first and foremost, and it's been touched on only briefly here today so far, is the notification to passengers regarding the threat, impending bomb threat against Pan Am on flights originating in Frankfurt with the destination of New York City.

I've listened to the testimony of the first two gentlemen on the docket today and I've read the testimony of the other three that will testify after me. And until the committee brought up the subject of warnings, not one word was mentioned—not one word was mentioned in their formal testimony.

I find that disturbing and I realize that it is not a specific part of this committee's duties, but it is married so closely to security in general, I think it has to be addressed.

I have been informed that FAA reports show that during the first 6 months of 1988, there were 218 bomb threats against all air traffic flights. During that same 6-month period, there were approximately 3 million flights.

I've also heard, although it is not verified, that during the full year of 1988, there were approximately 20 to 24 bomb threats that were considered to be of a serious nature. That certainly seems to be a manageable number and hopefully we can address that situation during the questioning period.

It's my understanding that a California assemblyman has introduced two pieces of legislation in California to notify airline passengers of impending threats and I know it's a hot potato and a very difficult thing to address, but I urge Congress to review Federal practices regarding threats against commercial aircraft and enact laws or regulations to address those practices soon.

The second category, and it's been touched on today, concerns the effectiveness of general airport security. During the past few weeks, I've read many news articles and talked personally to travelers who have experienced international airport security before and after Pan Am 103. In every case, the overwhelming message emphasized the tightening of security after the crash.

If our security systems have been and are at such a high level, it's hard for me to understand how it can get so much higher practically overnight. I know there's concern. I think there should be more follow-up.

The third category, and perhaps the one offering air travelers the most hope, is the technology now available that's capable of detecting the new type of plastic explosives, such as that used—presumably used to destroy Pan Am 103.

I've personally talked to a vice president of Science Applications International Corporation, the San Diego firm that is producing this device. In August of 1988, five of these detection systems were ordered by the FAA, as has been testified earlier, and as a result of the 103 tragedy, the FAA asked SAIC to expedite delivery of the five units and build an additional unit, and they're planning to deliver all six units by January of 1990, beginning in June of 1989.

Also, in my discussion with these people, the point was made earlier that they're not able to build more than possibly 50 next year. I—I guess that's true. That's the figure I have, too, but I think when the testing was completed back in 1986 and 1987 and the projection of—of how well this equipment would work, had the orders been placed a little sooner, I think we may have had some of these devices in place to save Pan Am 103.

I certainly hope Congress will take steps to increase procurement of these devices at a much faster rate.

In nearly every news article I've read concerning the new devices, mention was made of the cost and also that the airlines would probably end up paying the price and passing the cost on to travelers. In my formal statement, I had a request for members of the committee to discuss the airport/airway improvement fund and trust. That has been done to a certain extent.

It seems to me that the public has already paid for equipment of this type and the only thing left to do is for Congress to give the order to procure this—this equipment. Possibly we could discuss that fund. The figure of—the $6 billion figure was made available to me yesterday and it was just astounding. I—not being associated with the government, had no idea that money was available to—to go ahead with—with research and development in equipment like this.

In closing, I would like to point out to the committee and to our entire government, that in the minds and hearts of every parent, brother, sister, husband, wife, relative and friend of those who died on December 21st, 1988, by a senseless act of terrorism, we know, as do most Americans, that the terrorists were not directing the attack at Steven Berrell or the other 258 innocent passengers and crew aboard Pan Am 103. Nor were they acting against the 11 residents of Lockerbie, Scotland, who were destroyed by the flaming aircraft as it crashed to the ground. Nor were the terrorists after Pan American Airlines. We all know that these terrorists, whoever they might be, directed this barbaric attack at the Government of the United States of America.

Thank you, Mr. Chairman. I'd be happy to answer any questions from the committee.

[The prepared statement of Mr. Berrell follows:]

STATEMENT OF ROBERT P. BERRELL

Mr. Chairman, Members of the committee, thank you for inviting me to testify before this committee.

My name is Robert Berrell. I am an automobile dealer from Fargo, N.D.

My 20 year old son Steven was a student at Syracuse University until December 21, 1988, when he was blown out of the sky along with 258 other unsuspecting passengers and crew aboard Pan Am 103.

My interest in testifying before this committee is not to dwell on the faults and blame as they relate to Pan Am 103, but rather to emphasize the actions that must be taken in order to prevent similar disasters in the future.

I bring no particular expertise to this committee unless it might be that of sadness, grief and tears. But it is this first-hand terrifying experience with grief by our family and all the other families and friends of those who crashed to their death on Pan Am 103 that compels me to testify here with a sincere hope that Congress will accelerate its efforts to protect American air travel passengers in the future.

I have asked myself a thousand times, "What could have prevented the Pan Am 103 tragedy?"

I believe the answer falls into three categories:

First and foremost is the notification to passengers of the impending bomb threat against Pan American Airlines on flights originating in Frankfurt, West Germany, with a destination of New York City during the Christmas Season. When threats as specific as this are received, interested passengers must be notified!

I have been informed that FAA reports showed that during the 6 month period January 1 thru June 30 of 1988 there were 218 bomb threats against all U.S. aircraft flights. During that same six month period there were approximately three million flights. I have heard that during 1988 there were only twenty to twenty four bomb threats that were considered to be of a serious nature. Certainly a number that seems manageable. The threat against Pan Am 103 was reported to be one of these serious threats.

It is my understanding that a California assemblyman has introduced two pieces of legislation to increase public protection from terrorist threats against airline passengers. While I am pleased that someone is acting in California, I urge Congress to review federal practices regarding threats against commerical aircraft and enact laws to improve those practices soon.

The second category concerns the effectiveness of general airport security. During the past few weeks I have read many news articles and talked personally with travelers who have experienced international airport security before and after Pan Am 103.

In every case the overwhelming message emphasized the tightening of security after the crash.

This is nothing new. FAA security directors have increased airport security after other bomb attempts with plastic explosives dating back to 1982. However security loosened up again after pressure subsided. If our security system is at such a high level, how can it get so much higher almost overnight following a tragedy such as Pam Am 103.

The third category and perhaps the one offering Air Travelers the most hope is the technology available now that is capable of detecting the new type of plastic explosives such as that used to destroy Pan Am 103.

I have personally talked to a Vice-President of Science Applications International Corporations (SAIC) of San Diego, California. Dr. Hedi Bozorgmanesh has informed me that testing of their system began in May of 1987 and was completed in June of 1988 under supervision of the FAA.

In August of 1988 five of these detection systems were ordered by the FAA. As a result of the Pam Am 103 tragedy the FAA asked SAIC to expedite the delivery of the five units and build an additional unit. Currently SAIC is planning to deliver all six units by January of 1990 beginning in June of 1989.

I surely hope Congress will take steps to increase procurement of devices such as these at a much faster rate.

In nearly every new article I have read concerning these new devices, mention was made of the cost of these devices and also that the airlines would probably end up paying the price, and passing the cost on to travelers. I would like to request that any of the committee members please comment on the "Airport Improvement Trust Fund" as to how it is funded and what are the funds used for.

In closing I would like to point out to the committee and to our entire government that in the minds and hearts of every parent, brother, sister, husband, wife, relative or friend of those who died on December 21, 1988 by a senseless act of terrorism, "We" know as do most Americans that the terrorists were not directing the attack at Steven Berrell or the other 258 innocent passengers and crew aboard Pan Am 103. Nor were they acting against the eleven residents of Lockerby, Scotland who were destroyed by the flaming aircraft as it crashed to the ground. Nor were the terrorists after Pan Am Airlines. We all know that these terrorists, whoever they

are, directed this barbaric attack against the Government of the United States of America.

Mr. Chairman, this concludes my prepared statement. I would be happy to answer any questions you or members of the Subcommittee may have.

Mr. VALENTINE. Mr. Berrell, let me see for the record, if I can get a clear understanding of what your view is with respect to notification to the public. Are you suggesting, sir, that every—every bomb threat that comes to an airline or comes to the government with respect to a particular flight be made public?

Mr. BERRELL. I'm not suggesting that, Mr. Chairman. I guess information is what the survivors of the victims of this tragedy are after right now, and it appears to me and to all of us that the—the threat in this instance was rather specific. It was at a certain airline during a certain time period with a certain origination and a certain destination.

Mr. VALENTINE. Well, let me——

Mr. BERRELL. And—and I'm talking about threats of that nature. I guess the—I guess the term "right to know" is maybe the wrong term. I think the term should be—I heard it yesterday—should be "need to know," and I think there's a difference. Obviously, the whole airline industry can't be disrupted, but there's got to be a better way. There've got to be minds in this country that can come up with a method of notifying those people that need to know.

Mr. VALENTINE. Yes. Well, that is what all of us search for; that's what all of us pray that we can have the collective wisdom to find, but even if—with all the specifics that you recite, I believe that it would be a fairly simple thing to any kook or anybody with some other motive, whether connected with a labor dispute or whether connected with any grievance against an airline to find out when X, Y, Z airline is moving a flight from National Airport and to call in a bomb threat directed at that particular airplane, naming even the crew and the destination and surely, you're not suggesting that every telephone call, every communication that comes to the government or the airline should result in a public notification of that.

Mr. BERRELL. I'm not suggesting that. I—I am suggesting that in this particular case, and I vowed not to get into this sort of conversation because it arouses a lot of anger in me and—but I will talk to it briefly.

In this particular case, the State Department and the FAA considered it a serious threat, and how these threats are evaluated is information that I'm not—it's not available to me or anyone else. I guess the next thing—the next step that comes along is after the FAA alerts the—the powers in airline companies and whoever, what happens after that and is the jurisdiction of the FAA done after that—after that notification has taken place. We don't know and we probably will know some day what happened in this particular instance. Did Pan Am take necessary precautions in security at both Frankfurt and Heathrow?

Mr. VALENTINE. I think that you—you know, that's an area that we all agree on that and—I just wanted to focus on—just draw attention to what you were saying to the subcommittee with respect to the question of notice.

I think that—you know, that's what we seek to do. We seek to try to close all these loopholes and that airplanes out there on the—parked and prepared for flight—there're so many people who have to touch it——

Mr. BERRELL. I understand that.

Mr. VALENTINE. I will recognize Mr. Lewis at this time.

Mr. LEWIS. Mr. Chairman, I have no questions, except Mr. Berrell, I thank you for your testimony. I know it was difficult and appreciate you coming here and testifying.

Thank you, Mr. Chairman.

Mr. VALENTINE. Mr. Glickman.

Mr. GLICKMAN. Thank you.

Mr. Berrell, I just want to say the closing paragraph of your statement reflects exactly the point that I made in my opening statement and one that I hope that our State Department officials and the government at the highest levels know about. As you say, the attack was not directed at your son or the residents of Scotland or Pan American Airlines. The attack was directed at the United States of America, and it affected you just as clearly as if they had come over to North Dakota and had put your son at threat in the middle of Fargo. It happened—it just happened to have happened over another country, but it was directed at the United States.

The attitude of our Government in the past, I think, has been too much that these are faraway events that do not affect Americans and if they do, they affect them collaterally and not in the priority sense that needs to be reflected.

So I think that that point is well made in your statement and it is one that I hope that policymakers listen to.

I would like to ask you one question. After this event happened, I wonder if you would relate to the subcommittee what kind of assistance or comfort our government gave to you and to your family and, to the extent of your knowledge, to the other families?

Mr. BERRELL. Congressman, I'll answer the question briefly and then I'd like to elaborate if I could.

The U.S Government has contacted our family in two ways. One was a letter from a temporary State Department office in Lockerbie, with a form asking for the disposition of our son's body and burial proceedings, and also a request for a birth certificate.

The second was a telephone call that I received just this last Monday from a State Department official informing me that we would be receiving a letter as to the disposition of personal effects. That is the whole sum and substance of our contact with the U.S. Government.

Shortly after the—the crash, there was a lot of confusion and there was tremendous difficulty in Lockerbie of identifying bodies. Our thought was that when our son's body was identified and shipped back to us that we would receive some sort of communication.

By the time we—we left to attend the memorial service at Syracuse, we had not received any—we had received identification and our son had arrived in Fargo, and we—but we still had not received any notification or communication with the Government.

I still really didn't put much credence in it because of our geographic location. I thought that this could have been an oversight.

When we arrived at Syracuse for the memorial services with the parents and friends and relatives of the other 34 students, I found that no one had received any communication with—with our Government.

At that service, which was a beautiful, major event, there were close to 15,000 people that attended that service. I am not aware of one high-level Government official that attended that service or the service—the two services in Lockerbie.

The result of all this is—is one of the major motivations for me to attempt to appear at this committee hearing today. I felt that if my Government wasn't going to come to me, that I was going to come to my Government. And I'm not looking for sympathy from a letter of consolation from the White House or the State Department. None of the parents or friends are looking for that. We just think it's strange that nothing did happen and it's aroused some feelings in us that—that we're having a little tough time handling.

Mr. GLICKMAN. Well, there's not much we can say to provide that consolation——

Mr. BERRELL. I understand.

Mr. GLICKMAN [continuing]. Except that I think that you find among this panel that we do care and we would hope that in the future——

Mr. BERRELL. I feel that.

Mr. GLICKMAN [continuing]. That appropriate human behavior is shown by the highest levels of our Government.

Mr. BERRELL. I appreciate it. Thank you.

Mr. GLICKMAN. Thank you, Mr. Chairman.

Mr. VALENTINE. Mr. Walker.

Mr. WALKER. No questions.

Mr. VALENTINE. Mr. McCurdy.

Mr. MCCURDY. Thank you, Mr. Chairman.

I, too, again want to express our condolences and our concern. I'm struck by a couple things, Mr. Berrell.

First of all, I think it is inexcusable that there was not some personal interaction between the officials of our Government and the families of the victims of this crash, and I think that is inexcusable and I think there's nothing else that can be said and I hope we've learned from that experience. But I'm also struck by the—your last paragraph, as my friend from Kansas indicated—of your statement that that was not an attack against Pan Am; it wasn't an attack against individuals; it was an attack against our Government.

I'm going to take just—not so much exception, but I want to clarify a position there and—forgive me, we've had a very contentious week up here in Washington as well and those of us who believe in public service sometimes are—have to take a liberty now and then to make a statement, and you're right, it was a threat against our government, but I'm a Jeffersonian. We are the Government. You're the Government; I'm the Government; everybody here is the Government of the United States of America. Now, we—the threat is against us. It's just because a President has a particular foreign policy that some people overseas or even here do not agree with doesn't mean it's a—they're striking out at Ronald Reagan, who was then President, or President Bush—you can understand, this is a Democrat saying this—it's a threat against all of us, and

at times, there are differences between this Member of Congress and the President on his foreign policy, but once that policy's made, then we rally around it together and try to implement as best we can, but we also stand collectively responsible for those actions, and the threat is against us.

And I'm not saying this to you, because I think you understand that. You've expressed that. Your statement's also kind of like talking to the choir, too. I think we're here together and we sympathize and we're the committee who says we ought to authorize more in this area and have for years. We're the ones that have exceeded other levels of requests, but they've not been funded.

But that's the process. We have to unfortunately go through that. And the tragedy is that sometimes it takes a tragedy such as this to awaken the collective awareness of "we the people" who are the government. And there have been sacrifices in our country for decades and generations and years and people that died to protect these liberties are fighting for these freedoms. And they're doing it for the government, too, because we do have those freedoms.

So I would just—I was just struck by that comment and, again, being a Jeffersonian at heart, I—and mind—I think it's important that we remember that we're all talking about this together, whether it's a person dying on the battlefields of Vietnam or Europe during Second World War or persons who are struck down—innocent civilians in a conflict or a senseless act of terrorism.

What enrages is that it is senseless and it is terrorism. It's directed against those people because they're not in uniform, but quite frankly, they are in uniform, aren't we? We're all in uniform. We're Americans and we—we carry this together.

So I—I didn't want to let that—that go, but I—I think what you have accomplished with a great deal of poise and composure, which I'm not sure any of us could—could match, is to hopefully increase the awareness to all of us in the government, whether it's the citizen in Fargo, North Dakota, or the citizen in Norman, Oklahoma, or the Member of Congress or the elected official—nonelected officials, the appointed officials that implement Government policy here, that you increase that public awareness and that perhaps we can establish some priorities to try to address this, whether it's increased funding for technology to deter—deter and possibly detect a terrorist attempt.

As I indicated earlier, as a member of the Intelligence Committee, I've, for a number of years, have had to—and I was a member during the height, the really pitched battle of terrorism right after the bombing of the Marine barracks in Beirut—was a member of the Armed Services Committee—it was a very troubling time for us and when this country was collectively shaken by our inability to deal with terrorism. We've been fighting conventional battles like Europe for years—you know, the great battles of World War II, and that's how we thought. We didn't know how to deal with a terrorist incident.

But I found that in dealing with those in those other forum that even though we're not able to talk about some of the details that—that you cannot—if a terrorist is committed and is willing to pay the ultimate price—as a person driving that pickup truck in Beirut

or a person who's willing to sacrifice his own life in a strike—they're probably going to get through and with the increases and the advents of technology that we have today, you know, with government support of terrorism, and that's where we have to really look. Qadhafi can increase the technology—technological awareness and knowledge of a terrorist and really create problems for us.

If they are committed to that, then we'll probably—not going to be able to stop that. However, what we can do—and I think this is where we've come a long way—is to make it extremely difficult for them to achieve that. To make it so difficult that the—the nuts of the word—I use that term somewhat advisedly, but the—the people who are not probably the hard-core committed terrorist who's willing to give their own life—don't commit such an act. And these new devices, such as the TNA and other advances, are going to help, but my experience has been also—I'm probably going to get a lot of letters and I know the new chairman of this subcommittee's going to get a lot of letters—people complaining, "Well, you know, it takes me—I had to go an hour early to an airport the other day and I had to stand in a long line and this—this stupid box they make me walk through is—you know, takes a whole minute. What a disgrace. You know, I just really felt bad having to walk through this machine. I felt degraded."

There's going to be that, but the question I'd asked of the administrator was, quite frankly, how do you strike the balance there? And to me, we've not struck the balance perfectly yet. Quite frankly, the fulcrum changes and it shifts and so we're going to have a hard time to continue.

We have to continue it and my point is it's a continuum. We have to—to—to always stay a step ahead and not become complacent and perhaps, in this instance, maybe we did. In the overseas areas, we may have become just a little complacent and assumed that—that the heated battle of terrorism was over for a while. Maybe we let our guard down. For that, we're all regretful; and at the same time, probably responsible. We, as a collective government, everyone.

So I—I don't have a question for you. I would certainly give you the opportunity to rebut anything that I've said and take exception.

Mr. BERRELL. I'd just like to respond, Congressman. I never meant to put myself away from government. I'm a strong believer in government and I don't think anyone did say government's over here and we're over here. That wasn't—

Mr. MCCURDY. As I indicated, I wasn't addressing it to you. I just took——

Mr. BERRELL. I understand.

Mr. MCCURDY [continuing]. The point that——

Mr. BERRELL. I understand what you're saying and the whole purpose for appearing here today is to try to raise that level of awareness and, if I have in any small way, I'm—I'm thankful for that.

Thank you.

Mr. MCCURDY. That was the point that I made, Mr. Chairman, for just one last—I think you have accomplished that, and for that,

we all commend you for your courage and your willingness to come here to—to make that contribution.

Mr. BERRELL. Thank you.

Mr. MCCURDY. And we—I think you should take heart that you've made a contribution to all of us and that your son, too, has made a contribution because—because of that senseless act, perhaps others in the future will not have to suffer the pain that you have.

Mr. BERRELL. Let's hope so.

Mr. MCCURDY. Thank you, Mr. Chairman.

Mr. VALENTINE. Thank you, Mr. McCurdy.

We—we have an Executive Session to follow and we have the use of the hall only until about 1:30, Mr. Shays. That's unfair—oh, Mr. Walker?

Mr. WALKER. I passed before, Mr. Chairman.

Mr. VALENTINE. Mr. Shays.

Mr. SHAYS. I just want to say God bless you for being here. I know the other victims really appreciate it.

Mr. BERRELL. Thank you.

Mr. SHAYS. And I appreciate it.

Mr. VALENTINE. Mr. Perkins.

Mr. PERKINS. I have no questions.

Mr. VALENTINE. Mr. Rohrabacher.

Mr. ROHRABACHER. I'm—I'm sorry, I missed your testimony. There's two subcommittee meetings going on here and we have to run back and forth, but—but some of the comments—I've read your testimony and some of the comments—I would just like to say that I'm very frustrated sometimes by the tone of what's going on here.

I mean, we face a very serious challenge. Earlier it was described as a war and I agree that—with that assessment totally. We're not just talking about, you know, hiring a bunch of movie ushers to check people as they go in to make a—that's not going to stop this war, hiring a bunch of people to check passengers as they go on board airlines. We're up against an organized group of terrorists, people who hate the United States. They hate you and me and they hate everything this country stands for and they have political goals in mind.

As much as our hearts go out to you, and we do, there's a threat to everybody's son and everybody's family if the United States isn't willing to come to grips with the fact that it is an organized effort to try to achieve political ends by people who are willing to use terrorism to achieve those ends.

And I guess I want to ask you—and this is a man-to-man situation. My parents come from North Dakota, by the way, and I know the people out in North Dakota have real true grit, and do you think that our Government is basically—been immobilized by a legalism and a legalistic approach in the face of these terrorists? And perhaps maybe we could give a little bit more action, rather than talking about airport security?

Mr. BERRELL. I think—I think the whole world has become immobilized by the terrorist actions. The government, for sure. What the answer is, I—I don't profess to know, but when I heard of the—

I think the devices and the security is the first step, and the intelligence community is a big part of that, too.

When I heard the dollars available, that's the part that just really upset me, that we're not using those dollars to the best interest of every—everyone. I mean, it concerns everybody. It's a war against all of us, like you say, and we do have to fight back harder than we have been. No question.

Mr. ROHRABACHER. Would you expect the U.S. Government to fight back in terms of seeking vengeance or would you expect a situation where we would strike back physically against these people?

Mr. BERRELL. I—I have no desire to do that. I—innocent people will be affected if that happens, and I happen to believe personally that—that this attack on 103 was possibly a retaliation for something we undertook before and that's just my personal thought, but I don't think we're going to—I'd love to see the terrorists, if it can be proved who they are—I'd love to see them tried and convicted, but no further than that.

We just have—we're never going to find out who terrorists are from time to time. We've just got to learn how to fight their war.

Mr. VALENTINE. Thank you, Mr. Berrell, and again, our sympathy to you and your family. We appreciate your taking the time to come here and share your views with us.

Pursuant to action previously taken by the committee, we will now go into the executive—wait, excuse me—excuse me just one minute. I'm—I'm a little bit ahead of myself.

We're finished with you, Mr. Berrell, but I will call the final panel and—for such statement or brief statement that they would care to make for the record, and—that is, Mr. Richard Lally; Mr. James Wilding and Mr. Timothy W. Anderson.

If you could come around and be prepared to—your statements will appear in the record as prepared. If you would care to summarize briefly, then we will go into executive—the closed session and take the substance of your testimony and have you answer questions.

Mr. Lally.

STATEMENTS OF RICHARD F. LALLY, ASSISTANT VICE PRESIDENT, SECURITY, AND FORMER DIRECTOR OF AVIATION SECURITY, FAA, AIR TRANSPORT ASSOCIATION; JAMES A. WILDING, GENERAL MANAGER, METROPOLITAN WASHINGTON AIRPORTS AUTHORITY, WASHINGTON NATIONAL AIRPORT; AND TIMOTHY L. ANDERSON, MEMBER, SECURITY COUNCIL, AIRPORT OPERATORS COUNCIL INTERNATIONAL AND DIRECTOR, OPERATIONS, MINNEAPOLIS-ST. PAUL INTERNATIONAL AIRPORT

Mr. LALLY. Thank you, Mr. Chairman.

I—we've submitted a full statement for the record and I'd like to try to summarize it shortly for you.

My name is Richard Lally. I'm assistant vice president for security at the Air Transport Association of America. I wish that our appearance here today was under more pleasant circumstances instead of following the tragic event over Scotland.

The airlines have redoubled efforts to combat attacks against civil aviation, along with FAA, and institute even tighter security

measures. But we feel that it's very important to recognize, as has been stated before this committee, that airlines cannot do that job alone. They need the help of government.

Airlines are not intelligence agencies. They're commercial enterprises and they rely on their government and allied governments to help track and assess the many security threats that are made. And they need specifically the assistance of FAA, civil aviation security experts, to provide adequate security in high-risk areas of the world.

The nature of the security threat we face today is far different and far more dangerous from what it was in the early 1970's when the problem was hijacking. Now, the problem is sabotage by international terrorists and they do seek to influence the behavior of governments through their criminal acts and modification of government policy is their real goal, commercial aviation merely the surrogate target.

And meeting this new threat requires and warrants greater government involvement in airline security. The U.S. Government must go beyond its traditional regulatory role and become an active partner of the airlines in security.

We have four specific recommendations that we'd like to make to the committee and I'll summarize them briefly.

First, as has already been mentioned here today, we feel that the U.S. Government should have and must now extend these same security requirements that have been imposed on U.S. carriers to the foreign airlines who serve the United States from those same high-risk locations. We feel that the—that omission is a serious gap in FAA's policy.

The second recommendation is that the government must speed the involvement and development of commercial application of these new technologies that are emerging. FAA has made tremendous progress in that field in the development of thermal neutron analysis and also appears to be emerging a significant ability to use vapor detection as another effective explosive detection technique.

We think that effort should be accelerated and we think that the efforts to produce these equipment should include government help in nurturing these screening technologies. There is precedent, we think, for increased government involvement. FAA provided funds to the airlines in the early 1970's to speed the deployment of metal detectors at all United States airports. Financial assistance for explosive detection equipment is even more appropriate and more urgently needed in meeting today's dangerous threat of terrorism.

The third recommendation is that the FAA should concentrate its own very substantial and significant security resources where they are needed most. Congress has substantially increased FAA's budget for security, following the terrorist hijacking of a TWA flight some years ago. FAA has hired more people and they've more than doubled their security staff. We believe that this staff and this expertise should be examined and should be concentrated at the places in the world where the threat is greatest, specifically in Europe and Middle East and Far East.

We do not suggest that FAA abandon its domestic responsibility, but rather that the resources be concentrated where the threat is greatest.

The fourth and final recommendation is that the United States accelerate efforts to strengthen international agreements and international security standards through the International Civil Aviation Organization. We think the meeting that has been called at the request of the United States and the United Kingdom next week is a good step in that direction.

The airlines, on their own, are doing a number of things, and we're completely supportive of FAA measures and we're complying with those new requirements overseas. Domestically, the airlines are very active in trying to maintain the effectiveness and improve the quality of airline security at every airport in the United States.

Mr. Chairman, I'd like to complete the summarization with that and be happy to answer any questions that the committee might have.

[The prepared statement of Mr. Lally follows:]

STATEMENT OF RICHARD F. LALLY

CONCERNING AVIATION SECURITY

BEFORE THE SUBCOMMITTEE ON

TRANSPORTATION, AVIATION, AND

MATERIALS OF THE COMMITTEE

ON SCIENCE, SPACE, AND TECHNOLOGY

U.S. HOUSE OF REPRESENTATIVES

FEBRUARY 9, 1989

GOOD MORNING. MY NAME IS RICHARD F. LALLY, I AM ASSISTANT VICE PRESIDENT FOR SECURITY OF THE AIR TRANSPORT ASSOCIATION OF AMERICA. I WISH THAT MY APPEARANCE BEFORE THE SUBCOMMITTEE WERE UNDER MORE PLEASANT CIRCUMSTANCES -- FOLLOWING A LENGTHY PERIOD OF UNINTERRUPTED SAFE, SECURE, COMMERCIAL AIR TRAVEL RATHER THAN THE TRAGEDY WE HAD ABOVE SCOTLAND IN DECEMBER. I WELCOME THIS OPPORTUNITY, HOWEVER, TO DISCUSS WITH THE SUBCOMMITTEE THE CRITICAL NEED TO EXPEND MORE EFFORT IN RESPONDING TO THREATS OF SABOTAGE AGAINST INTERNATIONAL CIVIL AVIATION.

THE EXPLOSION ABOARD PAN AM FLIGHT 103 WAS A PAINFUL REMINDER OF THE VULNERABILITY OF A FREE SOCIETY TO TERRORIST ATTACKS. THE U.S. AIRLINES WITH SERVICE OVERSEAS HAVE HAD EXTRAORDINARY SECURITY MEASURES IN EFFECT FOR THE PAST THREE YEARS AT 44 HIGH RISK AIRPORTS, MOST OF WHICH ARE LOCATED IN EUROPE AND THE MIDDLE EAST. YET, DESPITE THOSE EFFORTS, SOMEONE, OR SOME GROUP, SUCCEEDED IN SABOTAGING FLIGHT 103 AND TRAGICALLY ENDING THE LIVES OF 270 PEOPLE.

WE HAVE REDOUBLED OUR EFFORTS IN THE WAKE OF THAT CRASH. FAA HAS INSTITUTED EVEN TIGHTER SCREENING PROCEDURES FOR THE INTERNATIONAL FLIGHTS OF U.S. CARRIERS THAN WE HAD BEFORE THE CRASH. BUT THE SECURITY CHALLENGE WE FACE TODAY IS FORMIDABLE. THE AIRLINES CANNOT MEET THAT CHALLENGE ALONE. THEY ARE COMMERCIAL ENTERPRISES, NOT INTELLIGENCE AGENCIES. THEY RELY ON THEIR GOVERNMENT , AND ALLIED GOVERNMENTS, TO HELP TRACK AND ASSESS THE MANY SECURITY THREATS MADE AGAINST COMMERCIAL AIRLINES EACH YEAR. THEY VERY MUCH NEED GOVERNMENT'S HELP, INCLUDING THE DIRECT ASSISTANCE OF FEDERAL AVIATION ADMINISTRATION SECURITY PROFESSIONALS, TO PROVIDE ADEQUATE SECURITY IN HIGH RISK AREAS OF THE WORLD.

THE NATURE OF THE SECURITY THREAT WE FACE TODAY IS FAR DIFFERENT (AND FAR MORE DANGEROUS) FROM WHAT IT WAS IN THE EARLY SEVENTIES WHEN WE FIRST BEGAN SCREENING PASSENGERS AND THEIR CARRY-ON BAGGAGE. BACK THEN, HIJACKING WAS THE PRIMARY THREAT. NOW IT IS SABOTAGE BY INTERNATIONAL TERRORISTS SEEKING TO INFLUENCE THE BEHAVIOR OF GOVERNMENTS THROUGH ACTS OF VIOLENCE AGAINST COMMERCIAL AVIATION. MODIFICATION OF GOVERNMENT POLICY IS THEIR REAL GOAL, COMMERCIAL AVIATION MERELY THE SURROGATE TARGET.

MEETING THIS NEW THREAT BOTH WARRANTS AND REQUIRES GREATER GOVERNMENT INVOLVEMENT IN AIRLINE SECURITY. THE U.S. GOVERNMENT MUST GO BEYOND ITS TRADITIONAL REGULATORY ROLE AND BECOME AN ACTIVE PARTNER OF THE AIRLINES IN SECURITY.

I HAVE FOUR SPECIFIC RECOMMENDATIONS FOR IMPROVING AIRPORT SECURITY, TO OFFER HERE TODAY. IN MAKING THESE RECOMMENDATIONS I DO NOT MEAN TO SUGGEST IT IS SOLELY THE GOVERNMENT'S RESPONSIBILITY TO IMPROVE SECURITY. THE AIRLINES MUST DO THEIR PART, AND I ASSURE YOU THEY WILL.

MY FIRST SECURITY RELATED RECOMMENDATION IS ONE THAT WILL HELP ENSURE U.S. TRAVELERS THE PROTECTION THEY DESERVE UNTIL TOUGH INTERNATIONAL STANDARDS ARE IN PLACE. IT IS IMPERATIVE THAT FAA IMPOSE THE SAME HEIGHTENED SECURITY REQUIREMENTS ON FOREIGN CARRIERS SERVING THE UNITED STATES THAT THEY IMPOSED ON U.S. CARRIERS IN THE WAKE OF THE PAN AM CRASH.

THE FACT THAT FOREIGN CARRIERS DO NOT OPERATE UNDER THE SAME SECURITY RULES IS, I THINK, AN OBVIOUS FLAW IN FAA'S CURRENT SECURITY PROGRAM. SOME 50% OF U.S. CITIZENS TRAVELING ABROAD FLY WITH FOREIGN CARRIERS, SO BEEFING UP SECURITY ONLY FOR U.S. CARRIERS WOULD BE LIKE HAVING POLICEMEN PATROL

ONLY ODD NUMBERED STREETS. U.S. CARRIERS FULLY SUPPORT THE ADDITIONAL SECURITY MEASURES ORDERED BY FAA ADMINISTRATOR MCARTOR FOLLOWING THE FLIGHT 103 TRAGEDY. BUT IF THE UNITED STATES GOVERNMENT IS SERIOUS ABOUT THE SAFETY OF AMERICAN TRAVELERS, IT MUST IMPOSE THE SAME REQUIREMENTS ON FOREIGN AIRLINES FLYING IN AND OUT OF U.S. GATEWAY AIRPORTS.

AN OBJECTIVE ANALYSIS OF THE INCIDENTS IN WHICH EXPLOSIONS HAVE OCCURRED ONBOARD CIVIL AVIATION AIRCRAFT SINCE 1983 CONFIRMS THAT ALL OF CIVIL AVIATION -- THAT IS, AIRLINES OF ALL FLAGS, NOT JUST THE U.S. FLAG -- ARE THE TARGET. 573 OF THE DEATHS RESULTING FROM THESE BOMBS STEMMED FROM DEVICES PLACED ABOARD AIRLINES OF OTHER NATIONALITIES, WHEREAS 274 DEATHS (INCLUDING THE 11 VICTIMS ON THE GROUND IN SCOTLAND) INVOLVED U.S. FLAG AIRCRAFT. FURTHER UNDERSCORING THIS POINT IS THE FACT THAT LAST YEAR THERE WERE ONLY 2 U.S. AIRLINE HIJACKINGS -- THE LOWEST ANNUAL TOTAL SINCE 1973 -- COMPARED TO 13 HIJACKINGS OF FOREIGN AIR CARRIERS DURING THAT SAME YEAR.

I SHOULD NOTE THAT ADMINISTRATOR MCARTOR RECENTLY WROTE TO HIS COUNTERPARTS IN EUROPE, THE MIDDLE EAST AND THE FAR EAST URGING TIGHTER SECURITY MEASURES. THAT WAS A STEP IN THE RIGHT DIRECTION, BUT IT DOES NOT GO FAR ENOUGH. FOREIGN AIRLINES WITH SERVICE TO THE UNITED STATES SHOULD BE LEGALLY BOUND TO COMPLY WITH THE SAME SECURITY REGULATIONS THAT GOVERN U.S. CARRIERS' OPERATIONS.

MY SECOND SECURITY RELATED RECOMMENDATION IS THAT THE GOVERNMENT MUST SPEED THE DEVELOPMENT AND COMMERCIAL APPLICATION OF EMERGING NEW TECHNOLOGIES THAT DETECT HIDDEN EXPLOSIVES. FAA HAS HAD PROMISING RESULTS IN RECENT TESTS OF EQUIPMENT DESIGNED TO DETECT VAPORS EMITTED BY EXPLOSIVES. IT ALSO HAS ACHIEVED SIGNIFICANT BREAKTHROUGHS IN THE

DEVELOPMENT OF THERMAL NEUTRON ANALYSIS, A PROCESS WHICH BOMBARDS BAGGAGE AND CARGO WITH NEUTRONS AND THAT APPEARS CAPABLE OF DETECTING ALL KNOWN EXPLOSIVES IN THE QUANTITIES NECESSARY TO BRING DOWN A COMMERCIAL AIRCRAFT.

FAA RECENTLY ANNOUNCED IT WILL BUY FIVE THERMAL NEUTRON MACHINES THIS YEAR AND WILL DO ALL THAT IT CAN TO BRING THIS NEW TECHNOLOGY ON LINE QUICKLY. WE THINK FAA SHOULD INCREASE THAT PURCHASE ORDER. AND WE THINK THE NEW MACHINES, AS WELL AS THE TWO EXISTING UNITS FAA HAS BEEN USING FOR TESTS HERE IN THE UNITED STATES, SHOULD BE AIRLIFTED TO EUROPE AS SOON AS POSSIBLE.

IN ADDITION, THE GOVERNMENT SHOULD HELP NURTURE THESE NEW SCREENING TECHNOLOGIES TO MATURITY BY PROVIDING SEED MONEY FOR THE FIRST INDUSTRY BUY OF STATE-OF-THE-ART EQUIPMENT. FAA PROVIDED FUNDS TO THE AIRLINES IN THE EARLY SEVENTIES TO SPEED THE DEPLOYMENT OF EFFECTIVE METAL DETECTORS AT U.S. AIRPORTS. FINANCIAL ASSISTANCE IS NOW EVEN MORE APPROPRIATE, AND URGENTLY NEEDED, IN MEETING TODAY'S FAR MORE DANGEROUS THREAT OF INTERNATIONAL TERRORISM.

MY THIRD RECOMMENDATION IS THAT THE FAA SHOULD CONCENTRATE ITS OWN SECURITY RESOURCES WHERE THEY ARE NEEDED MOST. CONGRESS SUBSTANTIALLY INCREASED FAA'S BUDGET FOR SECURITY FOLLOWING THE TERRORIST HIJACKING OF A TWA JETLINER IN THE MEDITERRANEAN THREE AND A HALF YEARS AGO. FAA SUBSEQUENTLY HIRED MORE AIR MARSHALS AND SECURITY INSPECTORS, THEREBY DOUBLING THE SIZE OF ITS SECURITY WORK FORCE. IN DECEMBER, FAA ANNOUNCED PLANS TO FURTHER INCREASE ITS SECURITY WORK FORCE BY 35% OVER THE NEXT 20 MONTHS. THAT WILL ADD ABOUT 120 MORE AVIATION SECURITY EXPERTS TO FAA.

THOSE ARE WELCOME MOVES, BUT I MUST CAUTION THAT THEY WILL DO LITTLE TO ENHANCE THE SAFETY OF THE TRAVELING PUBLIC UNLESS THESE EXPERT RESOURCES ARE DEPLOYED IN AREAS WHERE THE THREAT OF TERRORISM IS GREATEST -- SPECIFICALLY IN EUROPE, THE MIDDLE EAST AND THE FAR EAST.

I AM NOT SUGGESTING THAT THE FAA ABANDON ITS SECURITY RESPONSIBILITIES AT DOMESTIC AIRPORTS. BUT I AM SUGGESTING THAT IT MUST ASSIGN MORE OF ITS SECURITY PEOPLE TO GROUND DUTIES IN SUPPORT OF AIRLINE SECURITY ACTIVITIES AT HIGH RISK AIRPORTS OVERSEAS.

MY FOURTH AND FINAL RECOMMENDATION IS THAT THE UNITED STATES ACCELERATE EFFORTS TO STRENGTHEN INTERNATIONAL AGREEMENTS ON AIRLINE AND AIRPORT SECURITY. THE INTERNATIONAL CIVIL AVIATION ORGANIZATION (ICAO) HAS MADE CONSIDERABLE PROGRESS IN THAT DIRECTION IN RECENT YEARS, BUT MORE NEEDS TO BE DONE. ICAO SHOULD LAY OUT TOUGHER SECURITY STANDARDS AND RECOMMENDED PRACTICES FOR ALL NATIONS. IT SHOULD BE GIVEN THE RESOURCES IT NEEDS TO EVALUATE SECURITY PROGRAMS AROUND THE WORLD AND THE AUTHORITY TO IMPOSE SANCTIONS AGAINST NATIONS THAT FAIL TO LIVE UP TO ESTABLISHED STANDARDS. THE SPECIAL MEETING CALLED BY ICAO FOR FEBRUARY 16, 1989, AT THE REQUEST OF THE U.S. AND U.K. GOVERNMENTS CAN BE A GOOD FIRST STEP IN THAT DIRECTION.

LET ME MENTION SOME OF THE THINGS THE U.S. CARRIERS ARE DOING ON THEIR OWN TO ADDRESS THE NEED FOR IMPROVED SECURITY AT AIRPORTS. SEVERAL WEEKS PRIOR TO THE PAN AM EXPLOSION OVER SCOTLAND, THE MEMBERS OF ATA LAUNCHED AN AMBITIOUS REVIEW OF SECURITY THAT INVOLVES AN IN DEPTH LOOK AT SIX KEY ELEMENTS: SCREENER QUALIFICATIONS, SCREENER TRAINING, SCREENER PAY AND BENEFITS, NEW TECHNOLOGY, MANAGEMENT INVOLVEMENT IN SECURITY AND AIRLINE SECURITY TESTING PROGRAMS. ATA SUBSEQUENTLY ASKED OUTSIDE CONSULTANTS TO

BID ON THE DEVELOPMENT OF A MODEL TRAINING PROGRAM FOR THE INDUSTRY, AND WE EXPECT TO AWARD A CONTRACT SHORTLY.

THIS KIND OF REVIEW, BY THE WAY, IS NOT UNIQUE. THE AIRLINES CONTINUALLY REASSESS THE NATURE OF THE THREAT THEY FACE AND THE EFFECTIVENESS OF THEIR SECURITY PROGRAMS. THEY TAKE SECURITY SERIOUSLY, AND I THINK THAT IS REFLECTED IN THE RECORD. IN THE 15 YEARS SINCE PASSENGER SCREENING BEGAN THERE HAS BEEN ONLY ONE U.S. HIJACKING OF A MAJOR AIRLINER INVOLVING A REAL FIREARM SMUGGLED THROUGH THE SCREENING SYSTEM. THE U.S. AIRLINES SCREENED MORE THAN 1 BILLION PEOPLE LAST YEAR, FOUR TIMES THE U.S. POPULATION, AND THE SYSTEM DETECTED SOME 3,000 FIREARMS LEADING TO THE ARRESTS OF ABOUT 1,500 PEOPLE. BY FAA ESTIMATES, 118 HIJACKINGS HAVE BEEN PREVENTED SINCE PASSENGER SCREENING BECAME MANDATORY.

IN OTHER WORDS, THE PASSENGER SCREENING SYSTEM IN PLACE AT U.S. AIRPORTS TODAY IS WORKING WELL. IT IS ACCOMPLISHING WHAT IT WAS DESIGNED TO DO, WHICH WAS TO PREVENT HIJACKINGS.

HOWEVER, MEETING THE NEW THREAT OF INTERNATIONAL TERRORISM CLEARLY REQUIRES NEW STRATEGIES -- STRATEGIES CALLING FOR GREATER GOVERNMENT INVOLVEMENT IN AIRLINE SECURITY AND GREATER FOCUS ON AIRPORTS AND AIRLINE OPERATIONS OVERSEAS. GOVERNMENT MUST SHARE THE BURDEN OF SECURITY RATHER THAN PUSH IT OFF ENTIRELY ON THE AIRLINES. IT MUST HELP THE AIRLINES SHORE UP THEIR DEFENSES. IF WE CAN GET THAT KIND OF HELP, AND IF GOVERNMENT CAN TARGET ITS RESOURCES WHERE THE THREAT IS GREATEST, I THINK WE CAN GO A LONG WAY TOWARD SHIELDING TRAVELERS AGAINST THE SCOURGE OF TERRORISM IN THE YEARS AHEAD.

THANK YOU FOR YOUR ATTENTION.

Mr. VALENTINE. Thank you, sir.

Mr. Wilding.

Mr. WILDING. Good morning, Mr. Chairman, and members of the subcommittee. I am Jim Wilding, the general manager and chief Executive Officer of the Metropolitan Washington Airports Authority, which is responsible for the operation of Washington National and Washington Dulles, here in Washington.

I will take you on your invitation to accept the statement and to just skip through it rather quickly.

I have offered you a lot of information about the operation of our two airports that I think might be helpful in trying to scale the way in which some of this new technology might fit into a very, very active airport environment, and I would also invite the members of the committee and any of the staff to just simply come on over and see us and let us walk you through it if that helps in any way, shape or form, to give you a better sense of how some of these things can be done and perhaps how quickly they can be done.

But just picking up in the latter stages of my statement, I—I have tried to point out that technology is doing an awful lot of work for us this very day in security at our two airports. And just as that is so, it seems clear to me that the role of technology can and should be even broader in the years ahead.

The clearest of these areas, in my view, lies in the area of explosive detection equipment. I am familiar with the work being done by the FAA to develop such equipment and I support it totally. It is, I believe, being pursued intelligently and vigorously and I am confident that will continue to be the case until it is available for general application. And as I say in the statement, at the risk of stating the obvious, it seems to me that absolutely has to be as quickly as we can get at it.

I'm also generally familiar with the other of FAA's R&D initiatives in the security area and I also believe they are very worthwhile. In particular, I believe that efforts to examine the human factor frailties of current passenger screening methods is very important, as are those efforts aimed at the detection of nonmetallic firearms.

All in all, I would urge a recognition that the dollar amounts being directed at aviation security in the FAA's R&D program, while possibly adequate at the $8 to $10 million a year level, could probably be boosted a bit without significant downside on the fiscal side, but with a huge level of comfort that all of us would have that we're really pushing technology in this area.

It seems to me a certain venture capitalist sort of mentality must work itself into these R&D efforts. You have to be able to—willing to go out there, spend a few million dollars that gets you nothing and then stand up and say you did it for a good cause.

I earlier referred in my written statement to today's division of responsibility among the various parties involved in aviation security as being unusual, and I think it is. I would like to go a little further with that thought in closing.

Out aviation security system in this country has served us well against the threats of the past, but it is a system in which the Federal Government, except for its intelligence activities, has only played an indirect role. It views itself as a regulator and it has set-

tled into a watching-the-watchers frame of mind, expecting private airline companies and local airport operators to get the job done.

If, in fact, international terrorism continues to be the dominant issue that it is becoming, then I believe a far more direct and active role for the Federal Government is appropriate and is absolutely necessary.

Thank you very much.

[The prepared statement of Mr. Wilding follows:]

STATEMENT OF
JAMES A. WILDING
GENERAL MANAGER, MWAA
BEFORE THE
SUBCOMMITTEE ON TRANSPORTATION, AVIATION & MATERIALS
OF THE
HOUSE COMMITTEE ON SCIENCE, SPACE AND TECHNOLOGY
ON AIRPORT SECURITY
FEBRUARY 9, 1989

Good morning, Mr. Chairman and Members of the Subcommittee. I am James Wilding, the General Manager and Chief Executive Officer of the Metropolitan Washington Airports Authority. We appreciate your invitation to offer our views on the important matter of Airport Security and, particularly, on the ways in which further advances in technology can assist in meeting the security challenge.

The Metropolitan Washington Airports Authority is responsible for the operation of the two Washington airports, Washington National and Washington Dulles. As the Committee may recall, operation of these two airports was, until June of 1987, the responsibility of the Federal Government, specifically the Federal Aviation Administration (FAA). I, and many of my colleagues in the Authority, were until June of 1987 employees of the FAA, and are proud to have been so. I wanted to note this past association with FAA at the outset, since this hearing's purpose is to assess FAA's progress in certain of its R&D efforts.

The aviation security system which exists at airports today, including our own, is organized in a rather unusual fashion. Under a federally imposed regulatory scheme, the

airlines, which are private companies, employ an array of people, procedures and technology, all of which are intended to interact with people, procedures and technology employed by local government airport operators to achieve our aviation security system.

Your focus today is on the technology portions of these security efforts. It is interesting to note the key role which technology is playing at our two airports, National and Dulles, this very day in providing security. During the course of today, we expect that 75,000 air passengers will pass through our two airports, along with well over 100,000 articles of baggage, 500 tons of air cargo, and 350 tons of mail.

There is an employee population at these two airports of about 18,000 persons, including about 850 employees of the Airports Authority itself. Many of the 18,000 employees have job responsibilities that require them to operate in airport areas that are security sensitive.

To deal with this substantial volume of daily activity, the airline companies at National and Dulles operate security screening points, with the law enforcement support of our Authority Police Department. These screening points are highly dependant upon technology in the form of metal detectors and X-ray equipment. These airline-operated machines have, over the years, come to be readily accepted by the traveling public.

In the case of our own airport-operator elements of the security system, we operate sophisticated card-key access systems at both National and Dulles which use modern technology in a way which, at least in our case, has enabled us to provide enhanced security consistent with the airport work force's very real need for a high degree of internal mobility within the airport complex.

Decisions on how much security to impose at airports will always be influenced by balancing the need to efficiently move people and goods on the one hand, and a desire to reach higher security levels on the other hand. I believe it can fairly be said that the use of technology has permitted us to substantially improve security over recent years, while maintaining a reasonable flow of passengers and goods in increasingly crowded airports.

Just as technology is working effectively for us today in aviation security, it seems clear to me that its role can, and should, be even broader in the years ahead.

The clearest of these areas lies in the area of explosive detection equipment. I am generally familiar with the work being done by the FAA to develop such equipment, and I support it totally. It is, I believe, being pursued intelligently and vigorously, and I am confident that will continue to be the case until it is available for general application. At the risk of stating the obvious, it is of extreme importance that such equipment be available at the earliest possible date.

I am also generally familiar with other of FAA's R&D initiatives in the security area, and I also believe they are very worthwhile. In particular, I believe that efforts to examine the human factor frailties of current passenger screening approaches are very important, as are those efforts aimed at detection of non-metallic firearms.

All in all, I would urge a recognition that the dollar amounts being directed at aviation security in the FAA's R&D program, while possibly adequate at the $8 to $10 million per year level, could probably be boosted a bit without significant fiscal impact. Such a boost would, however, make it far more likely that we really are pushing technology as hard as we can.

I earlier referred to today's division of responsibility among the various parties involved in aviation security as being "unusual." In closing, I would like to go a little further with that thought. Our aviation security system in this country has served us well against the threats of the past. But it is a system in which the Federal Government, except for its intelligence activities, has only played an indirect role. It views itself as a regulator and has settled into a "watching the watchers" frame of mind, expecting private airline companies and local airport operators to get the job done. If, in fact, international terrorism continues to be the dominant issue within the range of threats being addressed by our aviation security system, I believe that a far more direct and active role for the Federal Government may well be necessary.

Again, thanks for the opportunity to participate with you today. I would be pleased to answer any questions you may have.

Mr. VALENTINE. Thank you, sir.

Mr. Anderson.

Mr. ANDERSON. Yes, Mr. Chairman. I, too, will accept your invitation to shorten my comments in the interest of time. I would like to address those topics perhaps not previously addressed and then maybe emphasize those that deserve a little emphasis.

I am Timothy Anderson, Airport Director of Minneapolis-St. Paul. I'm here representing the Airport Operators Council International.

The AOCI represents the State, local and regional bodies that own and operate the principal airports serving scheduled airlines throughout the world and we agree with much of what has been said in previous testimony this morning. Specifically, we agree that the Federal Government must increase its involvement and active participation in security efforts.

The actions of the Federal Government are critical in several areas. The first area being leadership and organization, research and development, intelligence collection and dissemination through official channels, and funding.

The Federal Government's role in leading and organizing the improvement of aviation security is mainly the responsibility of the Federal Aviation Administration. It is our belief that it is time that our response was more proactive and changed to one of increasing our capabilities and flexibility, rather than simply adding regulation.

AOCI also believes that levying fines for security violations creates an adversarial relationship between FAA and the airports and air carriers, to the detriment of security. We have two suggestions that may help. One is that FAA could de-emphasize fining airports and carriers and instead work directly with them to fix whatever problem may have been broken in—in an inspection process.

Two, if FAA must continue to levy fines, money received from these fines could be applied to air carrier and/or airport security, either directly through grants for security-enhancement projects, or through more FAA security-related research and development.

These options would enhance security teamwork, rather than increasing antagonism and reducing funds that could be available to airports and airlines to bolster security. FAA recently issued an access control rule that is cause to our concern. While we believe that access control systems are good, we are troubled by some aspects of the rule. I won't get into them in specifics. They are in my written comments.

In general, regarding the rule, however, on the automated access control systems, AOCI supports FAA in this area. Our major concern, however, as has been previously stated, is in the area of funding. That has not been adequately addressed.

AOCI applauds Administrator—has applauded Administrator McArtor's decision last December to accelerate delivery of thermal neutron analysis devices at FAA's Research, Engineering and Development Conference in early December, AOCI and the airline industry had asked FAA to take this step. We also urge the subcommittee to provide for greater emphasis on the development of vapor-detection technology for use in inspection of checked and

hand-carried baggage and cargo and FAA has had promising results from tests of vapor-detection equipment.

Vapor detection and thermal neutron analysis are potentially the most productive efforts FAA could make to enhance air transport security.

AOCI also compliments FAA for commissioning research and development work at Baltimore Washington International Airport to find areas where security can be improved far beyond current levels. Procedural and equipment improvements can potentially reduce the security risks at all airports without turning them into military fortresses, which is unacceptable to the American public.

It is our belief that this subcommittee should demand improvement in passenger screening, both in the development of more effective screening techniques, which is the human factor research, and in weapons detection. We must try to develop a technique to find so-called plastic weapons before they begin to appear in the commission of crimes.

AOCI commends Congress for outlawing the manufacture, sale and importation of such weapons into the United States, but without additional weapons-detection technology, it is almost certain that they will appear and be used in the United States.

The third area where government plays a unique role is in the development of intelligence information about specific threats, the provision of warning to law enforcement and security agencies and then appropriate response.

I won't high—I won't go into it any farther in that respect, but the recent incident in Scotland is an example of that.

Finally, in the area of funding, which is very important to us. AOCI believes money in the aviation trust fund should be released, not only for security programs and security R&D, but for all airport capacity enhancement projects as well, and we urge this subcommittee to use its influence in that area.

Mr. Chairman, in summary, AOCI endorses the current FAA security-related research and development projects and suggests the following to implement—to supplement FAA's efforts: definition by the government of the nature of the threat to aviation and what airports and airlines should do to prevent incidents; strong action by the Federal Government to strengthen international agreements affecting aviation security; imposition of the same security requirements on all air carriers serving the United States; FAA security support at airports in high-threat areas, especially in Europe, Mideast and the Far East; higher priority on development and funding of the vast technologies for explosive detection; installation of thermal neutron analysis equipment as quickly as possible; the use of vapor-detection technology for baggage and cargo screening; stepping up of current efforts to improve airport security, like the project now under way at Baltimore Washington International. In addition, two other items, we recommend initiation of work on human factors to improve passenger screening and the development of devices to detect nonmetallic weapons, such as plastic handguns.

I thank you, Mr. Chairman, and committee members. Be happy to answer any questions.

[The prepared statement of Mr. Anderson follows:]

AIRPORT OPERATORS COUNCIL INTERNATIONAL

Statement of the

AIRPORT OPERATORS COUNCIL INTERNATIONAL

presented by

Timothy [redacted] Anderson, Airport Director,
Minneapolis/St. Paul Metropolitan Airports Commission

on

Airport Security

before the
Subcommittee on Transportation, Aviation and Materials
Committee on Science, Space and Technology
U.S. House of Representatives

February 9, 1989

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- AOCI represents the governmental bodies that own and operate the principal airports served by scheduled airlines in the United States and around the world.
- AOCI member airports enplane more than 90 percent of total domestic and virtually all international scheduled airline passenger and cargo traffic in the United States.
- AOCI's international member airports enplane two-thirds of all airplane passengers and cargo on six continents.

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Statement of the
Airport Operators Council International
on
Airport Security
presented by
Timothy W. Anderson, Airport Director,
Minneapolis/St. Paul Metropolitan Airports Commission

MR. CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE, AS AN ACTIVE MEMBER OF THE AOCI OPERATIONS, SAFETY AND SECURITY COMMITTEE FOR THE PAST SEVERAL YEARS, I APPRECIATE THE OPPORTUNITY TO PRESENT TO YOU THE VIEWS OF THE AIRPORT OPERATORS COUNCIL INTERNATIONAL ON THE FEDERAL AVIATION ADMINISTRATION'S SECURITY RESEARCH AND DEVELOPMENT PROJECTS.

THE AIRPORT OPERATORS COUNCIL INTERNATIONAL REPRESENTS THE STATE, LOCAL, AND REGIONAL GOVERNMENTAL BODIES THAT OWN AND OPERATE THE PRINCIPAL AIRPORTS SERVED BY SCHEDULED AIRLINES IN THE U.S. AND THROUGHOUT THE WORLD. OUR U.S. MEMBER AIRPORTS ENPLANE MORE THAN 90 PERCENT OF THE TOTAL DOMESTIC AND VIRTUALLY ALL INTERNATIONAL SCHEDULED AIRLINE PASSENGER AND CARGO TRAFFIC IN THE UNITED STATES. AOCI HAS 230 MEMBERS REPRESENTING OVER 850 AIRPORTS AROUND THE WORLD.

THE FAA'S GOAL IN THE SECURITY ARENA, AS STATED IN THE FEDERAL AVIATION ACT, IS TO "PROTECT AGAINST TERRORIST AND OTHER CRIMINAL THREATS." THE RESEARCH AND DEVELOPMENT PROJECTS THAT FAA HAS UNDERWAY WILL GO TOWARD ACCOMPLISHING THAT GOAL, AND FAA IS TO BE COMMENDED FOR THAT WORK. FOR MORE THAN THREE YEARS, THE AVIATION INDUSTRY HAS BUILT UP EXTRAORDINARY SECURITY MEASURES AROUND THE WORLD, BUT THE SECURITY CHALLENGE WE FACE IS STILL A FORMIDABLE ONE. AS THE TRAGEDY RESULTING FROM THE APPARENT BOMB EXPLOSION ABOARD PAN AM FLIGHT 103 POINTS UP, HOWEVER, SOCIETY IS STILL VULNERABLE TO TERRORIST ATTACKS. OUR NATION'S AIRPORT SECURITY IS SOUND, BUT IT IS NOT AND WILL NEVER BE TOTALLY IMMUNE TO THE IRRATIONAL ACTS OF TERRORIST INDIVIDUALS.

AIRPORT OPERATORS ARE COMMITTED TO PROVIDING THE SAFEST AND MOST SECURE FACILITIES PRACTICABLE TO THE TRAVELING PUBLIC. HOWEVER, WE CANNOT MEET THAT CHALLENGE ALONE. AIRPORT OPERATORS AND AIRLINES HAVE LONG BEEN MAKING ADVANCES IN SECURITY AHEAD OF GOVERNMENT MANDATES. WITNESS, FOR EXAMPLE, THE ACCESS CONTROL SYSTEM IN PLACE FOR SEVENTEEN YEARS AT BWI AIRPORT AND THE "HIGH TECH" SCREENING CHECKPOINT OPENED LAST YEAR BY UNITED AIRLINES IN

CHICAGO. HOWEVER, AIRPORTS ARE OPERATED BY LOCAL, NOT NATIONAL, GOVERNMENTAL BODIES, WITH SCANT RESOURCES FOR LARGE INTELLIGENCE OPERATIONS. SIMILARLY, AIRLINES ARE COMMERCIAL ENTERPRISES, NOT INTELLIGENCE AGENCIES. BOTH RELY ON THE FEDERAL GOVERNMENT, AND ALLIED GOVERNMENTS, TO TRACK AND ASSESS THE MANY SECURITY THREATS MADE EACH YEAR AGAINST AVIATION. THIS IS A KEY ELEMENT IN THE ABILITY OF AIRPORTS AND AIRLINES TO RESPOND TO REAL THREATS AGAINST THEM. IN ADDITION, AIRPORTS VERY MUCH NEED THE DIRECT HELP OF GOVERNMENT PROFESSIONALS TO PROVIDE ADEQUATE SECURITY INTELLIGENCE AND GUIDANCE IN HIGH RISK AREAS OF THE WORLD.

THE SECURITY PROBLEM WE FACE TODAY IS FAR DIFFERENT FROM THAT OF THE 1970'S, WHEN SECURITY CAME TO THE FOREFRONT OF THE INDUSTRY'S CONCERNS. THEN HIJACKING WAS THE PRIMARY PROBLEM. NOW THE MORE IMMEDIATE THREAT IS SABOTAGE BY INTERNATIONAL TERRORISTS SEEKING TO INFLUENCE THE BEHAVIOR OF GOVERNMENTS THROUGH ACTS OF VIOLENCE AGAINST COMMERCIAL AVIATION. TERRORISTS HAVE SEIZED ON AVIATION AS A HIGHLY VISIBLE FORUM FOR MAKING POLITICAL STATEMENTS THROUGH SABOTAGING COMMERCIAL AVIATION, WHICH RECEIVES SUSTAINED MEDIA ATTENTION.

U.S. GOVERNMENT REACTION TO FOREIGN TERRORIST ATTACKS ON COMMERCIAL AVIATION TYPICALLY HAS BEEN TO IMPOSE ADDITIONAL SECURITY REQUIREMENTS ON THE U.S. CARRIERS AND ALL AIRPORTS, IRRESPECTIVE OF THE RISK EXPOSURE AND DEGREE OF THREAT AT SPECIFIC AIRPORTS. WE SUGGEST THAT THE GOVERNMENT ITSELF SHOULD ASSUME A STRONGER SECURITY ROLE THAN IT HISTORICALLY HAS TAKEN, MOVING TO IDENTIFY AND ELIMINATE THE TERRORIST THREAT BEFORE IT GETS TO THE AIRPORT.

AOCI FIRMLY BELIEVES THE NATURE OF TODAY'S THREAT REQUIRES A MUCH GREATER ROLE FOR GOVERNMENTS IN AVIATION SECURITY. ALLOW ME TO BRING TO YOUR ATTENTION THOSE RECOMMENDATIONS RECENTLY PROPOSED BY AOCI TO THE WHITE HOUSE CHIEF OF STAFF, THE SECRETARIES OF STATE AND TRANSPORTATION, AND THE FAA ADMINISTRATOR. THEY ARE:

> ONE, "THE FEDERAL AVIATION ADMINISTRATION (FAA) SHOULD BE DIRECTED BY THE SECRETARY OF TRANSPORTATION OR CONGRESS TO IMMEDIATELY CONCENTRATE EXISTING SECURITY RESOURCES WHERE THEY ARE NEEDED MOST. IN RECENT YEARS CONGRESS INCREASED FAA'S SECURITY BUDGET, AND MORE SECURITY INSPECTORS AND FEDERAL AIR MARSHALS SUBSEQUENTLY WERE HIRED. (THEY) SHOULD

BE ASSIGNED TO GROUND SECURITY DUTIES... IN EUROPE, THE MIDDLE EAST, AND THE FAR EAST. THOSE ARE THE AREAS WHERE THE THREAT OF TERRORISM IS GREATEST AND WHERE THE PRESENCE OF GOVERNMENT SECURITY OFFICIALS COULD PROVIDE A SIGNIFICANT DETERRENT.

TWO, "THE FAA SHOULD GIVE HIGHER PRIORITY TO THE DEVELOPMENT OF EMERGING NEW TECHNOLOGIES WHICH ENHANCE OUR ABILITY TO DETECT EXPLOSIVES... FAA HAS HAD PROMISING RESULTS FROM TESTS OF NEW "VAPOR DETECTION" EQUIPMENT. IN LIGHT OF BOTH OF THESE AREAS THE AGENCY SHOULD DEVOTE... RESOURCES NECESSARY TO BRING THESE INFANT TECHNOLOGIES TO RAPID MATURITY -- AND THEN USE THEM.

THREE, "THE U.S. MUST ACCELERATE EFFORTS TO STRENGTHEN INTERNATIONAL AGREEMENTS AFFECTING AIRPORT SECURITY. THROUGH THE INTERNATIONAL CIVIL AVIATION ORGANIZATION (ICAO), THE U.S. GOVERNMENT SHOULD SEEK TO ESTABLISH STRONG SECURITY STANDARDS AND RECOMMENDED PRACTICES FOR ALL NATIONS OF THE WORLD. ICAO SHOULD BE GIVEN THE AUTHORITY AND RESOURCES (EMPHASIS ADDED) IT NEEDS TO POLICE SUCH AGREEMENTS, AND TO DEVELOP AND ENFORCE SANCTIONS AGAINST GOVERNMENTS THAT FAIL TO LIVE UP TO ESTABLISHED INTERNATIONAL STANDARDS.

AND FOUR, "PENDING THE ACHIEVEMENT OF SUCH INTERNATIONAL STANDARDS, FAA SHOULD IMPOSE THE SAME SECURITY REQUIREMENTS ON FOREIGN CARRIERS SERVING THE UNITED STATES THAT IT ALREADY IMPOSES ON U.S. CARRIERS. THE ULTIMATE GOAL, OBVIOUSLY, IS TO PROTECT U.S. CITIZENS -- WHETHER THEY ARE FLYING ON U.S. OR FOREIGN CARRIERS. FOLLOWING PAST TERRORIST ATTACKS ON U.S. AIRCRAFT, MANY AMERICANS HAVE SWITCHED THEIR BUSINESS TO FOREIGN CARRIERS, BELIEVING THEY WERE ENHANCING THEIR SECURITY WHEN IN FACT THEY MAY HAVE BEEN PLACING THEMSELVES IN GREATER JEOPARDY."

THESE SAME RECOMMENDATIONS WERE MADE BY THE AIR TRANSPORT ASSOCIATION AND THE AIRLINE PILOTS ASSOCIATION. ALL THREE GROUPS RECOGNIZED THAT AVIATION SECURITY PROBLEMS CANNOT BE SOLVED BY THE AIRLINES AND/OR AIRPORTS ALONE, BUT NEED THE CONCERTED EFFORT OF THE FEDERAL GOVERNMENT AS WELL.

AOCI FULLY SUPPORTS THE FAA RESEARCH AND DEVELOPMENT

ENDEAVORS TO IMPROVE AIRPORT AND AIRLINE SECURITY, AND WE WOULD LIKE TO SEE THESE EFFORTS GIVEN A HIGHER PRIORITY AND FUNDING.

THE ANNOUNCEMENT LAST DECEMBER BY ADMINISTRATOR MCARTOR THAT FAA WOULD STEP UP THE DELIVERY SCHEDULES FOR THE THERMAL NEUTRON ANALYSIS DEVICES WAS APPLAUDED BY AOCI. IN FACT, AOCI AND ATA CALLED ON FAA FOR QUICKER DELIVERY AT THE RESEARCH, ENGINEERING AND DEVELOPMENT CONFERENCE IN EARLY DECEMBER. THIS EFFORT AND THOSE BEING TAKEN BY FAA IN THE VAPOR DETECTION ARENA COULD DO MORE THAN ANY OTHER SECURITY PROJECT FAA IS DEVELOPING TO ENHANCE THE SAFETY OF AIR TRAVEL.

WE WOULD LIKE TO SEE GREATER EMPHASIS PLACED ON DEVELOPING THE VAPOR DETECTION UNITS FOR USE IN THE INSPECTION OF BOTH CHECKED AND HAND-CARRIED BAGGAGE FOR DRUGS AND WEAPONS, IN ADDITION TO USING VAPOR DETECTION TECHNOLOGY ON THE INSPECTION OF PASSENGERS FOR THIS CONTRABAND. USED IN THESE CAPACITIES, SUCH MACHINES WOULD PROVIDE THE ADDED CAPABILITY OF AIDING IN DRUG INTERDICTION AS WELL AS IN PREVENTING THE SMUGGLING OF WEAPONS AND EXPLOSIVES.

AOCI COMMENDS FAA FOR COMMISSIONING WORK AT BALTIMORE/ WASHINGTON INTERNATIONAL AIRPORT WHICH IS INTENDED TO IDENTIFY AREAS WHERE SECURITY CAN BE IMPROVED WELL BEYOND THE LEVEL THAT EXISTS TODAY. WHILE THERE WILL ALWAYS BE SOME LEVEL OF RISK, HOWEVER SMALL, THESE PROCEDURAL AND EQUIPMENT IMPROVEMENTS WILL HELP REDUCE THIS RISK, HOWEVER, WITHOUT RESORTING TO THE SOCIALLY UNACCEPTABLE MILITARY INSTALLATION-LIKE SECURITY.

AOCI WANTS TO SEE IMPROVEMENT IN THE PASSENGER SCREENING ARENA; BOTH IN THE DEVELOPMENT OF MORE EFFECTIVE SCREENING TECHNIQUES (HUMAN FACTORS RESEARCH) AND IN WEAPONS DETECTION. WE MUST DEVELOP A TECHNIQUE TO FIND SO-CALLED "PLASTIC WEAPONS" BEFORE THEY BEGIN TO APPEAR IN THE COMMISSION OF CRIMES. JUST BECAUSE CONGRESS OUTLAWED THE MANUFACTURE, SALE AND IMPORTATION OF SUCH WEAPONS DOES NOT ENSURE THAT THEY WILL NOT APPEAR IN THIS COUNTRY.

IT IS THE OPINION OF AOCI THAT THE LEVYING OF FINES FOR SECURITY VIOLATIONS WORKS TO THE DETRIMENT OF ALL INVOLVED BY CREATING AN ADVERSARIAL RELATIONSHIP BETWEEN FAA AND THE AIRPORTS AND AIR CARRIERS. WE FEEL THAT THERE ARE TWO OPTIONS THAT COULD IMPROVE

THIS SITUATION: ONE, FAA COULD DISCONTINUE FINING AIRPORTS AND CARRIERS FOR SECURITY VIOLATIONS, INSTEAD WORKING DIRECTLY WITH THE THEM TO "FIX" THE SYSTEM COMPONENT THAT "BROKE DOWN" DURING THE INSPECTION PROCESS; OR TWO, IF FAA MUST CONTINUE TO LEVY FINES, MONEY RECEIVED FROM THESE FINES COULD BE RETURNED TO THE CARRIERS AND/OR AIRPORTS EITHER DIRECTLY, THROUGH GRANTS FOR SECURITY-ENHANCEMENT PROJECTS, OR THROUGH MORE FAA SECURITY-RELATED RESEARCH AND DEVELOPMENT PROJECTS. EITHER OF THESE TWO OPTIONS WOULD PROVIDE THE "TEAMWORK" APPROACH TO AVIATION SECURITY THAT THE INDUSTRY AND GOVERNMENT DEMAND AND THE GENERAL PUBLIC DESERVES.

TURNING NOW TO THE SUBJECT OF THE RECENTLY PASSED ACCESS CONTROL RULE, AS MUCH AS WE BELIEVE THAT ACCESS CONTROL SYSTEMS ARE GOOD, WE ARE TROUBLED BY PARTICULAR ASPECTS OF THE RULE. SPECIFICALLY, WE ARE CONCERNED THAT CRUCIAL DEFINITIONS -- THE MOST IMPORTANT BEING THE TERM "SECURED AREA", ON WHICH BASIC SYSTEM REQUIREMENTS HINGE -- ARE NOT PROVIDED. OUR CONCERNS ARE HEIGHTENED BY PAST HISTORY OF INCONSISTENT INTERPRETATION BY VARIOUS FAA REGIONS. WE ARE ENCOURAGED BY FAA'S EXPRESSED INTENTION OF ISSUING GUIDANCE TO THE FIELD IN ORDER TO INSURE CONSISTENCY IN THE APPLICATION OF THE RULE, AND WE INTEND TO MONITOR FAA'S IMPLEMENTATION OF THE REGULATION VERY CAREFULLY.

FURTHER, MUCH OF THE ACCESS CONTROL INDUSTRY NECESSARY TO PROVIDE THE HARDWARE AND SOFTWARE FOR SUCH SYSTEMS IS VIRTUALLY SPRINGING UP OVERNIGHT ACROSS THE COUNTRY. AOCI, FAA AND OTHER INDUSTRY ASSOCIATION STAFFS ARE SUDDENLY BESIEGED WITH CALLS AND LETTERS FROM HUNDREDS OF FIRMS CLAIMING TO HAVE A SYSTEM THAT WILL MEET THE MANDATED REQUIREMENTS. FAA NEEDS TO SET BASIC STANDARDS, WORKING WITH THE INDUSTRY AND THE USERS, FOR THESE SYSTEMS TO ENSURE THAT FLY-BY-NIGHT COMPANIES DO NOT WASTE TAXPAYERS MONEY BY SELLING INADEQUATE SYSTEMS TO THE AIRPORTS.

AOCI AND OTHER INDUSTRY GROUPS REQUESTED THAT FAA PROVIDE FENCED FUNDS FOR THESE SYSTEMS, OVER AND ABOVE THE CURRENT ENTITLEMENT GRANTS THAT HAVE BEEN AWARDED TO AIRPORTS, SINCE THOSE FUNDS ARE ALREADY EARMARKED FOR SAFETY, CAPACITY ENHANCEMENT AND NOISE MITIGATION PROJECTS. THIS REQUEST WAS DENIED.

FOR THESE AND OTHER REASONS, THE LACK OF FEDERAL FUNDING FOR

THESE SECURITY SYSTEMS IS A MAJOR AREA OF CONCERN FOR AIRPORT OPERATORS. WITH ALL OF THE VARIOUS REQUIREMENTS PLACED ON AIRPORTS, TO ADD A MAJOR EXPENDITURE WITHOUT PROVIDING DEDICATED FUNDS FROM THE AIRPORT IMPROVEMENT PROGRAM COULD PROVE FINANCIALLY DEVASTATING. SUDDENLY, AIRPORTS THAT HAD COMMITTED THEIR ENTITLEMENT FUNDS FOR OTHER CAPACITY ENHANCING OR NOISE REDUCING PROJECTS, RATHER THAN FOR INSTALLING A SECURITY SYSTEM, WILL NOW BE REQUIRED TO REALLOCATE FUNDS, OR TURN TO THE GENERAL PUBLIC TO FINANCE THESE MULTI-MILLION DOLLAR PROJECTS. FAA HAS MANDATED THE PROJECTS WILL BE COMPLETED AT 270 AIRPORTS WITHIN THREE AND ONE-HALF YEARS, BUT HAS FAILED TO RECOGNIZE THE TREMENDOUS FINANCIAL BURDEN THE REQUIREMENTS WILL PLACE ON AIRPORTS, AS WELL AS THE LACK OF "INDUSTRY" CAPABILITY TO NOT ONLY PROVIDE INITIAL INSTALLATION, BUT THE NECESSARY ON-GOING, YEAR-IN, YEAR-OUT SUPPORT.

AOCI AND INDUSTRY REQUESTS FOR A PILOT PROGRAM WERE ALSO DENIED, EVEN THOUGH ONLY A HANDFUL OF AIRPORTS HAVE WORKING SYSTEMS, AND FEW OF THEM HAVE EXTENSIVE EXPERIENCE WITH THIS TYPE OF SYSTEM. SUCH A PROGRAM WOULD ENABLE THE AIRPORT INDUSTRY TO ENSURE THAT SYSTEMS INSTALLED AT 270 AIRPORTS ARE THE MOST EFFECTIVE, AND COST EFFICIENT, SYSTEMS AVAILABLE.

SOME OTHER AREAS WHERE AOCI WOULD LIKE TO SEE MORE R&D:

THE MANNER IN WHICH MANY OF THE CURRENT SECURITY PROCEDURES WERE PUT IN PLACE WAS WHAT SOME WOULD CALL "KNEE-JERK" REACTIONS TO SPECIFIC INCIDENTS. ONE HUNDRED PERCENT SCREENING AND THE ACCESS CONTROL SYSTEMS WERE MANDATED FOLLOWING THE PSA INCIDENT; EVEN PASSENGER SCREENING WAS INSTITUTED FOLLOWING THE HIJACKINGS IN THE EARLY SEVENTIES. THESE COMPONENTS WERE PUT IN PLACE WITH LITTLE OR NO REGARD TO THE ENTIRE SYSTEM. AOCI BELIEVES IT IS TIME FOR A CONGRESSIONALLY APPOINTED, INDEPENDENT STUDY OF THE ENTIRE AVIATION SECURITY PROGRAM: BEGINNING WITH A CLEAR DEFINITION OF THE "THREAT" WE FACE; EXAMINATION OF INTELLIGENCE GATHERING CAPABILITIES; THE QUALITY OF SCREENERS; AND EVEN THE EFFECTIVENESS OF IDENTIFICATION BADGES. THIS STUDY SHOULD DETERMINE: ONE, IF THE METHODS AND EQUIPMENT IN USE TODAY ARE RELEVANT TO THE CURRENT THREAT, AND TWO, WHAT COMPONENTS SHOULD BE ADDED, DELETED OR MODIFIED TO MAKE THE AVIATION SYSTEM AS SAFE AND SECURE AS POSSIBLE.

WITH THE ACCESS CONTROL SYSTEMS IN PLACE, TERMINAL BUILDINGS

WILL BE THE STRONG LINK IN THE CHAIN. HOWEVER, IT WILL NOT TAKE LONG FOR SUBVERSIVE ELEMENTS TO FIND OTHER WAYS OF GETTING THE TOOLS OF THEIR TRADE ONTO AIRCRAFT. AOCI WOULD LIKE THE FAA TO DEVELOP A VIABLE AND EFFECTIVE PERIMETER CONTROL SYSTEM. WE KNOW THERE ARE SYSTEMS AVAILABLE, BUT THERE ARE PROBLEMS (SUCH AS SMALL ANIMALS TRIGGERING FALSE ALARMS). FAA SHOULD WORK ON IMPROVING THESE SYSTEMS TO THE POINT THAT THEY ARE MORE RELIABLE, AND PROVIDE A LEVEL OF SECURITY EQUAL TO THAT FOUND IN OTHER ELEMENTS OF THE SYSTEM.

IN SUMMARY, AOCI ENDORSES THE CURRENT FAA SECURITY-RELATED RESEARCH AND DEVELOPMENT PROJECTS, AND SUGGESTS THE FOLLOWING TO SUPPLEMENT THE FAA WORK:

- THE DEFINITION BY THE GOVERNMENT OF THE ACTUAL THREAT THAT AVIATION FACES AND EXACTLY WHAT AIRPORTS AND AIRLINES SHOULD BE DOING TO PREVENT INCIDENTS.
- STRONG ACTION BY THE FEDERAL GOVERNMENT TO STRENGTHEN INTERNATIONAL AGREEMENTS AFFECTING AVIATION SECURITY.
- IMPOSITION OF THE SAME SECURITY REQUIREMENTS ON FOREIGN CARRIERS AS THOSE IMPOSED ON U.S. CARRIERS.
- CONCENTRATION OF FAA AIR MARSHALS IN HIGH THREAT AREAS, SPECIFICALLY IN EUROPE, THE MID EAST AND THE FAR EAST.
- HIGHER PRIORITY TO DEVELOPING TECHNOLOGIES TO FURTHER ENHANCE OUR ABILITY TO DETECT EXPLOSIVES.
- THE IMPLEMENTATION OF THERMAL NEUTRON ANALYSIS MACHINES SHOULD BE ACCELERATED AS QUICKLY AS POSSIBLE.
- EXPANSION OF VAPOR DETECTION EFFORTS TO INCLUDE BAGGAGE AS WELL AS PASSENGER SCREENING COULD GREATLY ASSIST BAGGAGE SCREENERS AT SCREENING CHECKPOINTS AND IN THE BAGGAGE MAKE-UP AREAS.
- CURRENT EFFORTS TO IMPROVE AIRPORT SECURITY, SPECIFICALLY THE WORK NOW UNDERWAY AT BWI, SHOULD BE STEPPED UP.

IN ADDITION, AOCI RECOMMENDS INITIATION OF THE FOLLOWING PROJECTS:

- WORK ON THE HUMAN FACTORS TO IMPROVE PASSENGER SCREENING
- THE DEVELOPMENT OF DEVICES TO DETECT NON-METALLIC WEAPONS
- THE DEVELOPMENT OF A RELIABLE PERIMETER CONTROL SYSTEM.

THANK YOU, MR. CHAIRMAN. I WOULD BE HAPPY TO ANSWER ANY QUESTIONS YOU MIGHT HAVE.

Mr. VALENTINE. All right.

Pursuant to action previously taken by the subcommittee which authorizes executive session, we will be in recess for such time as necessary to make that transition, which the Chair would estimate to be about 15 minutes. We will be discussing sensitive matters at that time and it is necessary that we hold the participation in the closed meeting to those witnesses and members and others who are specifically authorized to be present.

So——

Mr. GLICKMAN. Mr. Chairman, could I just ask a question?

I know Ambassador Bremer—I think he's got another hearing this afternoon. What time is that hearing?

Ambassador BREMER. 1:30.

Mr. GLICKMAN. 1:30. Well, we ought to be okay for that. Okay. I just wanted to make sure he's here.

Mr. VALENTINE. I think so. So at this time, we'll stand in recess and we will excuse those of you who are not authorized to be here.

[Whereupon, at 12:10 p.m., the subcommittee was recessed, to reconvene in executive session, this same day.]

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